Stephan Conermann / Gül Şen (eds.)

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Contents

Abbreviations 7

List of Illustrations 9

Stephan Conermann / Gül Şen
Slavery is Not Slavery: On Slaves and Slave Agency in the Ottoman Empire, Introduction 11

General Considerations

Ehud R. Toledano
Models of Global Enslavement 31

Comparative Perspectives

Suraiya Faroqhi
Slave Agencies Compared: The Ottoman and Mughal Empires 55

Christoph Witzenrath
Agency in Muscovite Archives: Trans-Ottoman Slaves Negotiating the Moscow Administration 87

Gül Şen
Galley Slaves and Agency: The Driving Force of the Ottoman Fleet 131

Palace Slaves

Jane Hathaway
The Ottoman Chief Harem Eunuch (*Darüssaade Ağası*) as Commissioner of Illuminated Manuscripts: The Slave as Patron, Subject, and Artist? . . 167

Betül İpşirli Argıt
Manumitted Female Palace Slaves and Their Material World 189

Slaves in Legal Texts

Veruschka Wagner
"Speaking Property" with the Capacity to Act: Slave Interagency in the 16th- and 17th-Century Istanbul Court Registers 213

Yehoshua Frenkel
Slavery in 17th-Century Ottoman Jerusalem in light of Several Sharia Court Records 237

Joshua M. White
Slavery, Manumission, and Freedom Suits in the Early Modern Ottoman Empire 283

Trading Slaves

Zübeyde Güneş Yağcı
Slave Traders (*Esirciler*) in the Ottoman Istanbul 321

Slaves on the Periphery

Natalia Królikowska-Jedlińska
The Role of Circassian Slaves in the Foreign and Domestic Policy of the Crimean Khanate in the Early Modern Period 355

After Abolition

Sarah Buessow / Johann Buessow
Domestic Workers and Slaves in Late Ottoman Palestine at the Moment of the Abolition of Slavery: Considerations on Semantics and Agency . . 373

Notes on Contributors 435

Index 439

Abbreviations

EI2	*Encyclopeadia of Islam: New Edition.* Leiden: Brill, 1998–2005.
DİA	*Türkiye Diyanet Vakfı İslâm Ansiklopedisi.* Istanbul: TDV İslam Araştırmaları Merkezi, 1988–2013.
İA	*İslâm Ansiklopedisi: İslâm Âlemi Coğrafya, Etnoğrafya ve Biyografya Lûgatı.* Istanbul: Maarif Matbaası, 1940–1988.
IRSH	*International Review of Social History*
TSAB	The Turkish *Studies* Association Bulletin
IJMES	*International* Journal *of Middle East Studies*
IRSH	*International Review of Social History*
JESHO	*Journal of the Economic and Social History of the Orient*

List of Illustrations

Habeshi Mehmed Agha at Sokollu Mehmed Pasha's Deathbed	171
Osman II with Harem and Third Court Eunuchs	175
El-Hajj Beshir Agha Presents the Grand Vizier's Gifts to Sultan Ahmed III	180
Sebil-mekteb of Mahmud I's Madrasa in Cairo	182
Slave Market	339
Slave Market, Entrance	339
2nd Floor, 58 Rooms	339
Photograph of Emir Faysal ibn Husayn's Party at the Versailles Conference 1919	380
Overview of the Sample	412
The Sample of Domestic Workers, Compiled from the Ottoman Census Records	417–29

Stephan Conermann / Gül Şen

Slavery is Not Slavery: On Slaves and Slave Agency in the Ottoman Empire, Introduction

What is a Slave in the Ottoman Empire?

We would like to thank to the German Funding Foundation (Deutsche Forschungsgemeinschaft, DFG) and the University of Bonn for its financial and infrastructural support for the initial conference *New Perspectives on Slavery: The Ottoman Empire* which took place from 28–30 June 2018 and was organized on behalf of the Bonn Center for Dependency and Slavery Studies as a preparatory step for this publication.

The subject of this volume are the options and the agency available to slaves in the Ottoman Empire.[1] In order to summarise the findings of the individual contributions we will first have to consider some fundamental points. We need to discuss two key terms: 'agency' and 'slaves.' Both should be employed only after previous reflection, having been associated with a large number of very different concepts—the result of much deep thinking by many scholars about the question of how to conceptualize slavery.[2] A fundamental problem arises from the fact that 'slavery' is frequently equated with plantation slavery in the Americas. Especially in US American political thinking, this equation has become something of an article of faith. As a result, what is stressed is the uniqueness of the phenomenon

1 For an overview see Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey*, OSML 4 (Berlin: EB Verlag, 2017). Additionally, note the following standard works for the study of Ottoman slavery: Y. Hakan Erdem, *Slavery in the Ottoman Empire and its Demise, 1800–1909* (London: Macmillan Press, 1996) and Ehud R. Toledano, among his several publications, *As If Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press, 2007). Regarding female slaves, see Madeline C. Zilfi, *Women and Slavery in the Late Ottoman Empire: The Design of Difference* (Cambridge: Cambridge University Press, 2010).

2 Jeff Fynn-Paul and Damian Pargas, eds., *Slaving Zones: Cultural Identities, Ideologies, and Institutions in the Evolution of Global Slavery* (Leiden: Brill, 2018); Noel Lenski and Catherine M. Cameron, eds., *What is a Slave Society? The Practice of Slavery in Global Perspective* (Cambridge: Cambridge University Press, 2018), and Michael Zeuske, *Handbuch der Geschichte der Sklaverei: eine Globalgeschichte von den Anfängen bis zur Gegenwart*, 2 vols. (Berlin: De Gruyter, 2019).

with all its repugnant cruelty—not unlike, perhaps, Germany's *Historikerstreit* about the Third Reich and the Holocaust.[3] Attempts to compare American plantation slavery with other forms of slavery or strong asymmetrical dependencies are regarded as impermissible, as they are perceived to water down the singularity of a phenomenon thought of as beyond comparison. But doing so does not advance our understanding. Despite a plurality of opinions almost all scholars agree that the attribute characteristic of a slave is that they are a commodity that can be bought, sold and inherited. A slave is an item of personal property, completely in the possession of another person, who may use them at will.[4] But even this minimalist definition raises several questions. Looking upon a person as a commodity has its roots in Roman law. It is impossible to overstate the strength and pervasiveness of Roman law up until the end of the nineteenth century.[5] Interestingly, both of the monotheistic cultures that grew out of Late Antiquity, i. e. the Christian and the Islamic worlds, largely adopted Roman concepts of property and ownership. European colonial powers later carried these concepts into other world regions. But we should question the assumption that other, non-monotheistic, premodern cultures shared those same, or at least similar, concepts of law, property and ownership. That is something we learnt in many discussions with colleagues in other disciplines who work on non-European societies. The only shared factor appears to be that in all societies there were strong asymmetrical dependencies in which humans exploited their fellow humans by means of physical violence. In most cases, people were being forced to perform labour.

We use the term 'strong asymmetrical dependency' to avoid the dichotomy of slavery and freedom, and to explain (and explore) what lies between these two binaries. This intermediate space might be occupied—generally speaking—by convicts, servants, prisoners of war, coerced labour, as well as by people held in all other kinds of bondage. The Bonn Cluster of Excellence "Beyond Slavery and Freedom" provides us with a plausible working definition:

> Dependencies between actors are based on the ability of one actor to control the actions and the access to resources of another. This type of control over actions and access to

3 See Reinhard Kühnl, ed., *Vergangenheit, die nicht vergeht: Die "Historiker-Debatte." Dokumentation, Darstellung und Kritik* (Köln: Pahl-Rugenstein, 1987) and Klaus Große Kracht, "Der Historikerstreit: Grabenkampf in der Geschichtskultur," in *Die zankende Zunft: Historische Kontroversen in Deutschland nach 1945*, ed. Klaus Große Kracht (Göttingen: Vandenhoeck & Ruprecht, 2005), 91–114.

4 This is the prevailing definition in a nutshell, see Igor Kopytoff and Suzanne Miers, eds., *Slavery in Africa: Historical and Anthropological Perspectives* (Madison: University of Wisconsin Press, 1977), 3–4.

5 See for example Wolfgang Kunkel and Martin Schermaier, *Römische Rechtsgeschichte*, 14th rev. ed. (Köln: Böhlau, 2005).

> resources is often reciprocal, and in this case, it is compatible with the autonomy of both actors. So the existence of strong asymmetries between actors is decisive for the loss of autonomy of one of them. In addition, this asymmetrical dependency between actors has to be supported by an institutional background that ensures that the dependent actor normally cannot change their situation by either going away ('exit') or by articulating protest ('voice').[6]

Comprehensive ideas had previously been proposed only in three introductory articles. The first was the 2011 introduction by David Eltis and Stanley L. Engerman to the third volume of *The Cambridge World History of Slavery* entitled, "Dependence, Servility and Coerced Labour in Time and Space."[7] The editors' purpose in that volume was to take a closer look at forms of dependency other than slavery and discussing some overall ideas of slavery, and how these had developed over the years. Their main intention, however, was to focus on different types of dependency and unfreedom. To this end, they considered unfreedom to be the polar opposite of freedom and free labour, expressed primarily through institutions such as indentured, convict, or bonded labour. The second discussion was initiated by Stefan Hanß and Juliane Schiel in 2014 in their introductory chapter to the volume *Mediterranean Slavery Revisited* entitled, "Semantics, Practices and Transcultural Perspectives on Mediterranean Slavery."[8] The authors emphasize the necessity of not treating the concept of slavery in isolation, but of comparing it to other forms of dependency and unfreedom, as well as highlighting the interaction with its semantic meaning and textual context. They recommend a comparative approach, since this allows a contextualization in a historical framework and also uncovers and emphasizes both significant relations and parallels as well as differences and contradictions between the multiple forms of dependency. Finally, in a more recent introduction (2018), Stephan Conermann tackled the issue again, pointing out the terminological problems, and presenting especially the centers and studies devoted to slavery and dependency studies in German-speaking academia.[9]

6 www.dependency.uni-bonn.de/en/our-research/research-objective (accessed on 27 November, 2019).

7 David Eltis and Stanley L. Engerman, "Dependence, Servility, and Coerced Labor in Time and Space," in *The Cambridge World History of Slavery: AD 1420–AD 1804*, vol. 3, ed. David Eltis and Stanley L. Engerman (Cambridge: Cambridge University Press, 2011), 1–21.

8 Stefan Hanß and Juliane Schiel, "Semantics, Practices and Transcultural Perspectives on Mediterranean Slavery," in *Mediterranean Slavery Revisited (500–1800) / Neue Perspektiven auf mediterrane Sklaverei (500–1800)*, ed. Stefan Hanß and Juliane Schiel, with editorial assistance by Claudia Schmidt (Zürich: Chronos, 2014), 11–24.

9 Stephan Conermann, "Sklaverei(en) in außereuropäischen vormodernen Gesellschaften: ein paar Vorüberlegungen," in *Sklaverei in der Vormoderne: Beispiele aus außereuropäischen Gesellschaften*, ed. by Stephan Conermann (= Dhau. Jahrbuch für außereuropäische Geschichte 2), (Ingbert: Röhrig Universitätsverlag, 2017), 9–24.

Regarding strong asymmetric dependencies, the question of the legal concepts at the base of strong asymmetrical dependencies in a given society is fundamental to any reflection about such dependencies. And here, again, we must be very cautious not to take our own legal understanding as universal. 'Law' should be understood as a culturally shaped institution, a societal set of rules that can exist in writing, but that may just as well consist of a bundle of shared values, norms and practices.[10] Only once we have understood this constantly changing and evolving body of regulations can we essay a meaningful description and comparison of the phenomena under consideration.

Slaves were property in the Ottoman Empire, so the Islamic law on property applied to a person who had become a slave. As an example for the normative rules of Islamic law we cite the comments by the Hanafite legal scholar, Burhan ad-Din Ibrahim b. Muhammad al-Halabi (d. 1549), in his work *Multaqa al-abḥur* (The Confluence of the Oceans).[11] In his chapter about the legal status of slaves he writes that a slave is fully human in terms of religion, but not fully answerable due to his dependent status, and not fully obliged to undertake holy war. In all other respects he is an object. His special status comes about in these ways: bondage results from either birth or capture in war, i. e. when a non-Muslim who is not protected by contract or a grant of protection is captured by Muslims; it never results from sale of debt, self-sale, or the sale of children. Slaves have personal rights: they can marry. A male slave may marry up to two slave women. A slave woman can marry a free man, but he must not be her master; and vice versa. A slave requires their master's permission to get married; a master may force his slaves to marry. The master's permission implies his liability, including the person of the slave for the latter's pecuniary obligations associated with the marriage, such as bridal gifts and alimony; in other words, the slave can be sold to

10 This is also the subject of the Bonn Käte Hamburger Kolleg *Recht als Kultur* ("Law as Culture," www.recht-als-kultur.de/en/). For good overviews, see Werner Gephart and Daniel Witte, eds., *Recht als Kultur? Beiträge zu Max Webers Soziologie des Rechts* (Frankfurt am Main: Klostermann, 2017) and Jan Christoph Suntrup, *Umkämpftes Recht: Zur mehrdimensionalen Analyse rechtskultureller Konflikte durch die politische Kulturforschung* (Frankfurt am Main: Klostermann, 2018).

11 E. g. in Gotthelf Bergsträsser, *Gundzüge des islamischen Rechts*, ed. and rev. Joseph Schacht, (Berlin: de Gruyter, 1935), 38–42. Quoted in Stephan Conermann, Art. "Islam," in *Handwörterbuch der antiken Sklaverei (HAS)*, vol. 2, ed. Heinz Heinen, (Stuttgart: Steiner 2017), cols. 1516b–23a. On further discussion on legal issues in Islam, see Shaun Marmon, ed., *Slavery in the Islamic Middle East* (Princeton, NJ: Markus Wiener, 1999); Kurt Franz, "Slavery in Islam: Legal Norms and Social Practice," in *Slavery and Slave Trade in the Eastern Mediterranean (12th to 15th Centuries)*, ed. Reuven Amitai and Christoph Cluse (Turnhout: Brepols, 2017), 51–141. Among some of the most representative works on slavery in the Ottoman jurisprudence, see Hasan Tahsin Fendoğlu, *İslâm ve Osmanlı Hukukunda Kölelik ve Câriyelik* (Istanbul: Beyan, 1996) and Nihat Engin, *Osmanlı Devleti'nde Kölelik* (Istanbul: Marmara Üniversitesi İlahiyat Fakültesi Vakfı, 1998).

cover these. An unmarried female slave is sexually available to her master as a concubine, but not a male slave to his mistress. A slave's children inherit her status, but if a master acknowledges a child as his it will be free and equal in status to himself. Legal protection for slaves is weaker than for free persons: the deliberate killing of a slave means the law of vengeance (= *talio*) will apply, even against a free person, but injury alone will not. Slanderous accusations of fornication against a slave will result not in the 'legal punishment' (*hadd*), which could include the death penalty, but merely 'castigation.' A master may only apply *hadd* against his slave with the permission of the imam (the caliph). In other respects, slaves are protected in the same way as (other) possessions. A slave does not enjoy the protection of the law against their master: *talio,* and even more so reparations, are claims under private law brought either by the injured party or the holder of authority, which in both cases would be the master himself. As such, a claim would be null and void, since the plaintiff would be identical with the defendant. A slave's entitlement to take legal action against their master would not be extended to such cases. But there is official supervision to make sure a master fulfils his religious obligations towards his slaves: he must not work them too hard and must allow them sufficient rest. Constant violation can result in him being made to sell the slave. A slave is not legally capable, but a male slave can act on his master's behalf and can be the executor of his master's will, if all the heirs are minors. His word is valid in property transactions, and, if he is of good repute, also in certain religious matters, but he cannot testify in court. A slave is entitled to upkeep from their master; a house slave—unlike a slave engaged in commerce —also to alms at the end of Ramadan. A slave can be held criminally liable, although his master will have to assume the proprietary liability; he can free himself from this obligation by handing over the slave. A master can invest his slave with legal capacity, either for a single occasion such as when the slave wishes to contract matrimony; or generally, to enable him to trade. This authorisation does not apply to unilaterally disadvantageous transactions, such as an endowment or the freeing of oneself from *talio* through payment of a fine.

There are strong religious overtones to manumission. In some cases it can be an obligation as atonement for wrongdoing, and it often features in sworn commitments. A slave gains legal freedom if they become the property of a person related to them to a degree that would be an impediment to marriage (such as a foster brother). A slave who has given birth to a child recognised as his by her master (*umm walad*) gains her freedom after his death. Her master no longer has power of disposition over her, except for manumission or a manumission contract by which she does not lose her right to freedom in the event of his death. He cannot hand her over, instead he pays the equivalent of her value. He can, however, dispose of her in marriage. In order to facilitate manumission, decisions will be made in her favour in case of doubt. Where her entitlement to

liberty is incomplete, she will be given the chance to earn her freedom through work. Special forms of liberation are manumission in the event of death, and the sale of a slave to themselves: the slave is instantly free and owes his master the price. There is also a contract requested by the slave to purchase their freedom, usually in instalments: the slave is free immediately inasmuch as nobody can dispose of them; as soon as the full sum is paid, liberty is complete. A tie of loyalty (*wala'*, clienthood; both patron and client were called *mawla*, pl. *mawali*) continued to bind the manumitted slave to their former master, now their patron. This bond had implications that could affect the right of inheritance and in some ways also marriage.

So even these legal, normative concepts granted slaves in the Islamic world a number of personal rights that meant that there were certain options available to them, even though life in practice could be very harsh. However, normative texts tell us nothing about practice: they only provide a reference framework.

Numerous handbooks on slavery assume that slaves were marginalised within the framework of this institution. Slaves were, it is claimed, social outsiders by definition. But we should question even this basic assumption. If we look at the Ottoman institution of *devşirme* (levy of boys), which is frequently taken to be a form of slavery, it quickly becomes clear how problematic even basic definitions are.[12]

In the fourteenth century the Ottomans had decided to create an additional army. For this new unit, the Janissary Corps (*Yeniçeri Ocağı*), young Christian boys were recruited by force.[13] The new system was given its normative-legal framing through the official "Laws of the Janissaries" (*Kavanin-i Yeniçeriyan*), which describes the recruitment and training of novices in ideal-typical fashion.

The process of conscription began with an application from the *yeniçeri ağası* to the Sultan. If the request was granted, designated units went out to the villages where they demanded a list of baptised boys from the priests, on the basis of which the recruitment was carried out. Ideally, the boys were to be between ten and 18 years of age, physically healthy, handsome, unmarried, uncircumcised and intelligent. Only one son per family could be recruited to ensure that the

12 On what follows see Gulay Yilmaz, "Becoming a Devshirme: The Training of Conscripted Children in the Ottoman Empire," in *Children in Slavery Through the Ages*, ed. Gwyn Campbell, Suzanne Miers, and Joseph C. Miller, (Ohio: Ohio University Press, 2009), 119–34. For impressions from the real world of the Janissaries (in this case in Syria), see Linda T. Darling, *The Janissaries of Damascus in the Sixteenth Century, Or How Conquering a Province Changed the Ottoman Empire,* OSML 6 (Berlin: EB-Verlag, 2019).

13 On the subject of children in slavery in the Islamicate societies, see Kristina Richardson, "Singing Slave Girls (Qiyan) of the 'Abbasid court in the Ninth and Tenth Centuries," in *Children in Slavery Through the Ages*, ed. Gwyn Campbell, Suzanne Miers, and Joseph C. Miller, (Athens: Ohio University Press, 2009), 105–18; Fuad Matthew Caswell, *The Slave Girls of Baghdad: The Qiyan in the Early Abbasid Era* (London: I.B. Tauris, 2011).

families would not lose their livelihoods. The youths were rounded up in the centre of the village. After a thorough inspection, the recruits were divided into groups and prepared for the march to Istanbul. This included issuing them with special, very conspicuous clothes and distinctive hats in order to prevent attempts to escape on the way to the capital. There, the boys were converted to Islam, circumcised and given Islamic names. Those best qualified were deployed to the royal palaces, where there were schools with various different focuses. Their basic training took seven years, followed by another seven of further, specialised education. There were lessons in Turkish, Arabic, literature, Qur'an studies, Islamic law and theology, as well as teaching on administrative and military matters. The students were paid a small stipend. A very small cohort made it to the Topkapı Palace, where they received more training to prepare them for the highest offices. The rest were put in mid-ranking administrative posts.

All those who were not selected for school education were sent to the *ḳapıḳulu* regiment in order to prepare them for their career in the military. They received a two-stage training. First, they were sent to a family in Anatolia or Rumelia for five years in order to socialise them as Turkish Muslims. On their return to barracks they were instructed in military, religious and administrative subjects. They gradually replaced those of the Janissaries who were away at war. In addition, they acted as guards, firefighters or police. Eventually, they became regular soldiers in the *ḳapıḳulu* regiments. The rigorous division of recruits into military units under the leadership of an instructor over time created a strong sense of solidarity. Each regiment appears to have set up its own waqf to provide for comrades in need or bereaved family members. It seems that loans were also available. This would also explain why many Janissaries were able to conduct business on the side, a phenomenon that increased significantly in the seventeenth century.[14]

If we look at this system overall, it becomes clear that we cannot refer to it as slavery in the sense previously defined. The youths were not bought or regarded as chattels. They were not marginalised or placed on the edge of society. Quite the reverse: their careers might take them to the highest administrative or military posts. And yet each of them was officially the Sultan's *kul*—a very ambivalent term which we plainly cannot translate simply as 'slave.'

14 Gilles Veinstein, "On the Ottoman Janissaries (Fourteenth-Nineteenth Centuries)," in *Fighting for a Living: A Comparative Study of Military Labour 1500–2000*, ed. Erik-Jan Zürcher (Amsterdam University Press, 2013), 126.

Slave Agency in the Ottoman Empire

The contributions in this volume focus on the options available to persons in situations of strong asymmetrical dependency in the Ottoman Empire, i. e. their agency. This somewhat imprecise term requires clarification. John Robb in one of his articles gave a lot of thought to the applicability of the concept to questions in the field of cultural science:[15] agency is connected to very specific social contexts and particular situations. Like power, agency is not an isolated quality: it is conceivable only in relation to other people (or indeed other animals, or material objects). This can also be explained with the term 'interagency,' a concept that has now been adapted for social history studies.[16]

Even where we act to achieve a goal that only affects ourselves, we act along the lines of an identity and adhere to practices and meanings that ultimately evolved through interaction with others. We act within familiar fields of action and opportunity that are epistemically recognizable to us. Goal oriented action is possible only where it agrees with power structures, cultural ideas and forms of behaviour we find familiar. A group, too, can have agency—but a group's agency may radically differ from that of the sum of its individual members.

If we look at slavery and other forms of strong asymmetrical dependency in the Ottoman Empire against this background, it becomes apparent very quickly that here, again, we have a familiar problem with our sources. In most cases, we can observe an individual's agency only indirectly. The persons we are interested

15 John Robb, "Beyond Agency." *World Archaeology* 42 (2010), 493–520. The concept of agency was initially proposed for social history by Edward P. Thompson, *The Making of the English Working Class* (New York: Vintage, 1963) and Eric J. Hobsbawm, "From Social History to History of Society," *Daedalus* 100 (1971): 33–52. The flexibility of the concept was that it was capable of being adapted in further fields of studies such as environmental history: Markus Holzinger, *Natur als sozialer Akteur: Realismus und Konstruktivismus in der Wissenschafts- und Gesellschaftstheorie* (Opladen: Verlag für Sozialwissenschaften, 2004); in human-animal studies, for example, Gesine Krüger, Aline Steinbrecher, and Clemens Wischermann, eds., *Tiere und Geschichte: Konturen einer "Animate History"* (Stuttgart: Franz Steiner Verlag, 2014). Pleading for a more attention to commodities in sociological studies, Roßler suggested the concept of agency as a central term for science and technology studies. Gustav Roßler, *Der Anteil der Dinge an der Gesellschaft: Sozialität – Kognition – Netzwerke* (Bielefeld: Transcript Verlag, 2016). Two outstanding studies in this regard should also be mentioned: Arjun Appadurai, *The Social Life of Things: Commodities in Cultural Perspective*, 10th ed. (Cambridge: Cambridge University Press, 2012); and Alfred Gell, *Art and Agency: An Anthropological Theory*, reprint (Oxford: Clarendon Press, 2007).

16 On initial studies on interagency, see Viviane Despret, "From Secret Agents to Interagency," *History and Theory* 52 (2013): 29–44, and David Gary Shaw, "The Torturer's Horse: Agency and Animals in History," *History and Theory* 52 (2013): 146–67 and Juliane Schiel, Isabelle Schürch, and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden: Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte* 32 (2017): 17–48.

in very rarely express themselves: they simply do not get a chance to talk. But that is not to say that even people in the worst forms of asymmetrical dependency are wholly without agency. Sociological studies on the social order in National Socialist concentration camps[17] and Soviet penal and labour camps have shown that even within structures of absolute power there can be specific socialization processes that lead to the formation of differentiated camp societies.[18] Although any such society lies at the very edge of sociality, it does represent a closed social system. Within the mundane "web of dependencies and antagonisms" (*Geflecht von Abhängigkeiten und Antagonismen*)[19] of the system, the inmates were possessed of (well documented) agency.

We merely wanted to stress here that a person always has options, even within the most rigid and asymmetrical forms of society. These options depend on the given context and situation and always result from the relationship with other people, animals (if you like) and material objects.

Which forms of slavery can we identify from the contributions in this volume for the Ottoman Empire? Some collectives spring to mind:

1) Galley slaves (the chapter by Gül Şen). Galley slavery was widespread throughout the Mediterranean. There was usually a shortage of slaves, among other reasons due to the enormously high death rate in battles. Pirates in particular took advantage of this 'gap in the market' and sold captives to the all naval powers involved. Leaving aside volunteer fighters, Ottoman rowing ships used three different groups of enslaved people as oarsmen: a) prisoners of war, b) the private slaves of dignitaries or wealthy people, c) slaves who had been purchased officially. Interestingly, members if all those groups were paid a (modest) wage. Forced recruitment was also heavily used. In compensation, affected households were granted a partial tax exemption (*avārız*). In the Ottoman Empire galley slaves—as state slaves (*mīrī esīr*)—were sent to the naval arsenal in Istanbul. If the guards agreed, the slaves were able to transact small-scale business among each other. If the fleet was not at sea, the oarsmen were employed on land for work in the arsenal, or to carry out repairs on roads or fortification and defence works. Şen notes that the entire cycle of the 'production' of galley slaves, i. e. their recruitment, their everyday life at sea and at the Arsenal, as well as their employment outside of the Arsenal, bears a strong similarity with practices employed by the Republic of Venice, over many centuries the naval rival of the Ottoman Empire in the Mediterranean.

17 It is important here to distinguish concentration camps from extermination camps such as Auschwitz.

18 For example Wolfgang Sofsky, *Die Ordnung des Konzentrationslagers.* 3. ed. (Frankfurt am Main: Fischer, 1993).

19 Sofsky, "Die Ordnung des Konzentrationslagers," 23.

2) Eunuchs (Jane Hathaway's contribution).[20] There were countless eunuchs from various regions other than Africa in the Ottoman Empire, but only African eunuchs were deployed in the palace harem at Istanbul. The conquest of Constantinople in 1453 and the subsequent construction of the Topkapı Sarayı marked a turning point. The new building complex had initially housed female slaves used as concubines, until Hürrem Sultan (circa 1502–58), wife of Süleyman I (r. 1520–66) moved into the palace with her entire household. Over the course of the sixteenth century the harem in the third courtyard grew to encompass more than 1200 female individuals. Within the Topkapı Sarayı there were not only the African eunuchs who oversaw the harem, but also a large number of white eunuchs who were tasked with guarding the Sultan's audience chambers and training the court pages. The rivalry between, on the one hand, pages and white eunuchs, and on the other the women of the harem and the black eunuchs, ran as a common thread through the history of the Ottoman Empire up until the nineteenth century. For a long time after Murad III (r. 1574–95) had moved into the part of the building that housed the harem, the negotiation of central questions of power at the core of government happened only among these groups. The history of the Chief Harem Eunuch (*darüssaade ağası*) begins in 1574 with the appointment by Murad III of Habeshi Mehmed Agha to this post. A further important step towards its institutionalisation was the year 1588, when the Sultan officially assigned supervision of the foundations of the holy sites in Mecca and Medina to the *darüssaade ağası*. Some of the Chief Harem Eunuchs also acted as patrons of the arts, personally commissioning richly illuminated manuscripts and overseeing the production and representation of magnificent codices.

3) Female palace slaves (Betül İpşirli Argıt's article).[21] Female palace slaves or concubines (*cārīye*) in the harem of the Ottoman Sultan are a very interesting group. İpşirli Argıt's article focuses on the lives of concubines after their departure from the palace, and their continued links with it. Leaving the palace did not break those bonds but merely changed them insofar as they continued to influence different part of the women's lives, such as marriage, their place of residence, financial situation, and social ties. These contacts were very important for both sides. They were connected by an asymmetrical relationship based on benefits and mutual responsibility. The high-status benefactor on one side was mirrored by his or her lower-status protégées on the other. The patron gave financial and emotional benefits in a number of ways, and the women responded

20 Her contribution is based on her recently published monograph: Jane Hathaway, *The Chief Eunuch of the Ottoman Harem: From African Slave to Power-Broker* (Cambridge: Cambridge University Press, 2018).

21 See also İpşirli Argıt, Betül, *Hayatlarının Çeşitli Safhalarında Harem-i Hümayun Cariyeleri, 18. Yüzyıl* (Istanbul: Kitap Yayınev 2017).

by providing services, loyalty and fidelity. These relationships demonstrated a benefactor's generosity and power, while at the same time enhancing his legitimacy. The manumitted palace slaves not only gained responsibilities, but also prestige, identity, a sense of belonging, and influence. They also assumed functions and key roles as components of the palace institution and, in a wider sense, government politics.

4) 'Ordinary' slaves (the contributions of Veruschka Wagner, Joshua M. White, Yehoshua Frenkel, and Sarah & Johann Buessow). Ottoman court registers list slaves as partners in a variety of different bilateral agreements (such as work, purchase, marriage and manumission contracts); as the accused in unsuccessful escape attempts; as plaintiffs (for example in cases where they attempt to prove that they are not in fact slaves) and as beneficiaries (e. g. of endowments, inheritances or donations). Both essays look primarily at manumission documents. They are involved in four main types of disputes: (a) Contesting a manumission without other conditions, usually understood as a pious act. Since, as a rule, this form of granting freedom had no effect on the relationship between master and slave, conflicts normally arose when the heirs questioned manumission after the master's death. (b) Challenging a contractually agreed manumission. These contracts, which were usually drawn up shortly after the purchase of a slave, stipulated that the slave was to be freed after rendering a clearly defined service or paying a fixed sum of money. Such a slave could not be resold. They would frequently stay on, after manumission, in their former master's service. (c) Disputes over a slave's *umm walad* status (see above). (d) Evidence of not being a slave. In the Ottoman Empire Muslims were from time to time illegally sold as slaves, so such cases were not uncommon. In his extra edition and translation of 18 court cases in total, Frenkel provides the readers with personal fates and life stories of numerous enslaved men and women in particular.

Relations between slave owners and slaves were complex, even after a slave had been freed. We should not allow ourselves to be distracted by the term 'free.' Having been manumitted from slavery merely meant that a person had ceased to be a commodity owned by another person. For a Muslim, this 'freed' state included a number of other rights. But 'freedom' for a manumitted former slave did not come with any particular social status. We have seen that important imperial offices could be held by persons who nominally were slaves. Moreover, quite a few 'free persons' were among those who were most socially disadvantaged.

Further contributing to the largest group of dependency categories in this volume, with a geographical focus on Palestine, Buessow and Buessow provide the only study on the period immediately following abolition in late-Ottoman Palestine. Their analysis of the Ottoman census after the year 1880 (especially the registers for Dayr Ghassāna and the Jerusalem Saray) and tracing agency in the semantics of the registers could only be achieved through particularly arduous

work. The semantics of slavery and dependency is still one of the most difficult terrains of this research field. The authors state that, strikingly, there are no official administrative terms that directly refer to slaves in the Ottoman census after the year 1880. Instead, there are numerous, more indirect, linguistic markers, such as the omission of family names or stereotypical first names for slaves. Despite the official abolition of slavery, these identity markers still denoted a slave origin. The vast amount of biographical information included in the census enables us to gain a deeper knowledge of the agency of slaves or slave descendants in late-Ottoman Palestine—and there were many different forms of agency. In contrast to the major cities of Cairo or Istanbul, where there were numerous communal self-help institutions and structures, slaves in Palestine relied more on "micro communities." Both during servitude and afterwards, connections within the domestic sphere, i. e. the household, were essential for the slaves and their descendants if they wanted to get their chance, as exemplified by individual census entries.

Beside these major groups, there is another that is a category not of slaves per se, but one closely related: slave traders as individual merchants (the chapter by Zübeyde Güneş Yağcı), and traders who supplied slaves to the Crimean rulers (the chapter by Natalia Królikowska-Jedlińska). In a broader sense, this category played a tremendous role in the Ottoman slave-holding households and the imperial palace, since the assurance of a regular slave supply for the capital was possible only because of this group of dealers, albeit in two different contexts: Güneş Yağcı discusses the phenomenon from the perspective of the slave traders rather than the slaves, whereas the term or profession of 'slave traders' may conceal situations in which people did have a minimum level of agency: forced recruitment, i. e. capturing, forced transportation, and so forth. Traders were the agents between the sellers and buyers, between the buyers and the slaves. Although they contributed to the economy and fulfilled the never-ending demands of the imperial palace and elite households for possessing slaves, little is known about the networks of slave traders, and where these traders came from. Women, and from the 17th century onwards also Janissaries, were among the slave traders. According to data collected by Güneş Yağcı from several archival documents and the registers, it was clear that the slave traders were obliged to treat their "commodity" properly. Court decisions demonstrate, on the one hand, that any form of exploitation of the slaves by their traders was prohibited; on the other hand, slaves experienced all kinds of illegal treatment, such as being forced into prostitution or being sold to not enslaved Ottoman subjects (Muslim or non-Muslim). With the latter group in particular, the state authorities could not always protect its subjects against being sold into slavery. The enormous economic profits for the traders will have played a huge role in this illegal practice. Królikowska-Jedlińska presents a study of a different slave trade that has many

parallels to, but is geographically far removed from, this Istanbul-based slave trading, in the furthest reaches of the Ottoman Empire: the Crimean Khanate. This was a tributary state where a kind of slave-trading institution provided Istanbul with slaves once a permanent borderline had been agreed between the Ottoman Empire, Poland-Lithuania, and Muscovy, in the Treaty of Karlowitz. For the Crimean Tatars, Circassia was now the only remaining "slaving zone." Drawing on Jeffrey Fynn-Paul's work, who introduced the concepts of "slaving zones" and "non-slaving zones," Królikowska-Jedlińska demonstrates how the Crimean Tatar rulers, who claimed sovereignty over the Circassians in the northern Caucasus, established a "slaving zone" there and enslaved people to satisfy Ottoman demands between 1670s and 1720s. The Circassians were forced to pay a tribute of slaves to each new occupant of the Crimean throne. Local Circassian rulers vigorously negotiated with Crimean rulers to lower their obligations toward the khanate; they also sought alliances with Moscow. Different forms of dependency existed in Circassian society, which were complex in their social structures and religiosity. This complexity is likely to have enabled the Circassians to refuse to take part in the Crimean campaign in the Caucasus in 1721–23. The agency of enslaved Circassian society—lying at the periphery of the Ottoman Empire—appears in its military refusal and its ability to negotiate.

In addition to the chapter by Şen, Suraiya Faroqhi and Christoph Witzenrath provide two comparative perspectives, looking at the Mughal Empire and Russia respectively. Faroqhi covers a broad period (the early 16th to the mid-19th centuries) and ventures into an unknown and particularly difficult terrain in Ottoman slavery studies in her comparative study of the Ottoman and Mughal Empires. However, instead of comparing enslavement in both empires in a big picture, she pursues the question of slave agency. Tracing agency in the sources is particularly difficult, as even successful examples remain undocumented since the capacity of slaves to show initiative was limited by law. The two empires differed from each other, although both shared the same Hanefi version of Islamic jurisprudence, its application, and the production of legal sources. Confirming the results of other chapters in this volume dealing with manumission contracts, Faroqhi defines this legal practice as a form of agency available "in theory." She discusses the difference between a *kul* and ordinary slaves, inasmuch as the former cannot be sold or given away, whereas the latter could always be resold or given as gifts. She compares three types of enslavements in both empires: military slaves (*mamlūks*) were used by the Mughals only in small numbers, in contrast to the Ottomans. The presence of female slaves in courtly harems and households confirms that most slaves worked in the households as servants—and if female, they served as concubines to their masters. Miniatures painted around 1600 depict dancers and musicians at the Indian courts, who must have enjoyed some respect for their performances. Military slavery, by contrast, was an

exceptional case. Eunuchs did not exist at the Mughal court to the same extent that they did at the Ottoman court: Because of the mixture of female and male members at the court, there was little need for them. The existing eunuchs tended to the properties of members of the imperial family, a function similar to that of the Chief Black Eunuch at the Ottoman court, who supervised the imperial foundations of a pious nature. The possibilities for agency among elite slaves were not comparable to those of 'ordinary slaves' in both cases. Another comparative perspective is provided by Christoph Witzenrath relating to the Muscovite Empire. In contrast to the limited sources for South India, Witzenrath notes the tremendous amount of documentation available in the Muscovy archives. In his detailed picture of the treatment of returning slaves by the legal scholars in Muscovy, issues of interagency crop up along with the question of loyalty, an intriguing and overlooked aspect of slavery. The former slaves from the Ottoman Empire submitted petitions to the Muscovite authorities reporting their experiences in captivity, which served to examine their loyalty to the tsar. Knowing that the Ottoman Empire was very attractive to most captives, the Muscovite administration evaluated these former captives in most cases as "loyal," following their active decision to return to Russia. The whole bureaucratic process thus produced an interagency between the petitioners and administrators. Some of the captives became part of diplomatic negotiations, translation, or ransoming procedures.

Last, but not least, Ehud R. Toledano provides us with a theoretical discussion of slavery and dependency studies by exploring diverse models of global enslavement. He presents recent theoretical and methodological thoughts in a global framework as a road map for further studies of slavery and dependency. Focusing on societies in the Middle East and North Africa, he suggests a comparative approach in order to understand the mechanisms of human bondage as 'the most evasive and complex phenomena in human history.' Referring to the concepts of asymmetrical dependencies and agency, Toledano discusses some of the earlier as well as some recent models of enslavement. He introduces the changing notion of individual enslavement from a master-slave dyad to an enslaver-enslaved relationship, elaborated in his prominent 2007 book *As If Silent and Absent*, referenced throughout this volume, where enslavement appears as the most extreme form of dependency. In several types of enslavement in the Ottoman and other Islamicate societies, evidently the slaves could exercise agency in various contexts and frames. As confirmed by the case studies in this volume, elite *kul* individuals enjoyed much more agency than the ordinary slaves in households or elsewhere. Further, agency changed over the centuries and in geographical contexts in the Middle East and North Africa depending on a given period and context, reflecting a continuum on which agency was distributed and displayed, where all types of bondage are positioned.

Geographically, the chapters in this volume are divided into four major categories comprising Istanbul, Jerusalem, the Mediterranean, and the northern border (Crimean Khanate and Russian Empire), while chronologically most studies cover the Early Modern Period from the 16th to 18th centuries. A chronological order is considered only when two or more chapters contain the same thematic section.

To sum up, even if we cannot conceive the options open to Ottoman slaves from their own point of view, what has become clear is that there was potentially a very large spectrum of agency. We have uncovered a highly dynamic web of slaves, masters, freed/women/men, households, as well as religious, legal, and administrative institutions. Slavery in the Ottoman Empire is multifaceted. It cannot be clearly defined.

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General Considerations

Ehud R. Toledano

Models of Global Enslavement

Throughout human history, enslavement was one of the most intriguing economic, social, and cultural practices affecting the day-to-day life and demographics of many historical societies. Not a few approaches and methodologies have been deployed in the efforts to study, understand, and explain that form of human on human exploitation. While most of the research in modern scholarship has been empiric and society-specific, the universal aspect has attracted theorists from early stages. My own work on bondage in Ottoman and other Muslim-majority societies has been grounded in concrete case-studies, I have also sought and received inspiration from insightful comparative and model-driven contributions by sociologists, anthropologists, psychologists, and economists.

Although—as will be argued further below—historians tend to be skeptical about such input, these works can offer seminal ideas for enriching the problematique and stimulate an agenda for broader and deeper explanations of what is arguably one of the most evasive and complex phenomena in human history. Thus, the current chapter will survey and critique some of the more recent theoretical models for the study of enslavement, offering at the end my own view of how a comparative approach might be incorporated into our work to further understand bondage in MENA societies. In the back of this conversation, two central notions will figure in this: the first frames enslavement in the broader socio-cultural construct of 'asymmetric dependencies;' the other examines the concept of 'agency' in relationships embedded in bondage and legal unfreedom.

Let us begin with a brief reference to the notion of asymmetric dependencies. This is what I would call an intuitive construct, not a notion extensively developed discursively to become an analytical tool or an essential building block in a model or a theory. In fact, there is no writing in sociology or social history about asymmetrical dependencies. A definition exists in psychology and semantics, as in some science disciplines, but whenever it has been used, what it means was taken for granted and simply applied literally. While this is hardly the place to fill the gap, I would still like to note how I understand and use it here and elsewhere.

For me the notion of asymmetrical dependencies is a great enabler, facilitating the placement of enslavement—and obviously other such relationships—in a broader and deeper social context. This means that whereas enslavement has its own unique properties, it does also share commonalities with other social relationships that are, as I have for some time now defined bondage, 'involuntary' and 'unequal,' but significantly also 'mutual.' This broadens the scope of our conversation about modes of exploitation that are perhaps less extreme in their 'degree' of domination, but are still on the main scale of the domination-exploitation 'kind.'

To some historians, such positioning of enslavement dilutes its pure evil nature and mitigates the practice as the ultimate horror that humans can inflict on humans over an extended period of time and in large scale, as opposed, say, to genocide. Whereas I would certainly put enslavement also on the 'continuum' of crimes against humanity, it seems to me wrong to withdraw it from the discussion about asymmetrical dependencies. The second reason for keeping enslavement as a sub-category within asymmetrical dependencies leads us naturally to the notion of agency. Unlike the concept of asymmetrical dependencies, agency has evolved through a range of theorizing and model construction in several disciplines, including anthropology, sociology, psychology, economics, and political science. In an insightful survey of the literature,[1] John Robb, an archeologist, argues that agency is "a notoriously ambiguous concept," but that it can be—and has effectively been—reworked and redefined over the past decade or so.

As he scans the notion of agency in various disciplines, beginning with social theory and seguing to archeology, Robb reaches the conclusion that it is "inherently contextual and situated. Hence, agency is not a characteristic of individuals but of relationships; it is the socially reproductive quality of action within social relationships."[2] Thus, if agency stems from action, or rather the ability to act, then we have to go back, argues Robb, to notions that locate action within structure (e. g. Giddens) and habitus (e. g. Bourdieu), and seeing agency "as involved in a dialectic between structure and action."[3] When we transition to hierarchical societies, political dynamics reflect action as the outcome of the exercising power and inducing or coercing others to act according to the will or intention of an ambitious, dominant individual or a group or such individuals. A different view of agency in such societies stresses its property as a socially reproductive mechanism and its reciprocal nature. Thus, the past as internalized and interpreted by individuals and collectives, forming the essence of their

1 John Robb, "Beyond Agency," *World Archaeology* 42 (2010): 493–520; the quote is on 493.
2 Robb, "Beyond Agency," 494.
3 Robb, "Beyond Agency," 495; the rest of the paragraph draws on 496–98.

identities, both enables and directs action, determining the extent of agency by setting the range of possibilities and constraints.

In any event, here we shall adopt a notion of agency that is socio-culturally and historically specific. For the purpose of assessing enslaved agency, a particular concern of this chapter, we shall not use it as a universal, reified notion, but rather as specifically encountered and identified in the actions taken, intentionally or unintentionally, by enslaved women and men in Ottoman societies during the 18th and 19th centuries. Agency here is viewed as gendered, ethnicity-driven, age-determined, relationship-based,[4] and habitus-grounded. The notion of personhood is also important for both the enslaved and their enslavers. Following Bruno Latour's suggestion regarding "material agency," we view agency not only as a quality emanating from—and possessed by—humans, but also as a capacity that "material things," and I would add animals, are endowed with by nature. For Robb as well, agency is fundamentally material "because material things mediate and form the context for relationships between people, and because people form important relations with material things."[5]

Without going into Latour's intricate conceptual framework of the agent qualities of Gaia, the distinction of matter (de-animation) and materiality (interrelation between the historicity of agents and the narrativity of the accounts about them), or the directionality of causality (from the past to the present versus from the future to the present),[6] suffice it here to stress the important implications of attributing material agency to actants (that thereby become actors) in the world the enslaved made in, say, 19th-century Istanbul or Izmir. This segues us to both the specificities of Ottoman and other Islamic forms of enslavement as to the comparative and universal dimensions of the practice. First, we move to examine some of the global models suggested in the literature, both early and recent, as we consider the commonalities, but also the divergences, of the ways in which enslavement was being practiced in societies around the world for centuries and even millennia.

For more than a century, the study of enslavement has formed a major branch of social, economic, and political history as well as in the disciplines of sociology and anthropology. The pervasiveness of the phenomenon in almost all known human societies has nonetheless created a sort of "division of labor" in the scholarship devoted to enslavement. The role played by bondage in certain societies, and the existence of descendent communities actively committed to the unearthing of their enslaved past and heritage, have been the leading factors in

4 See my definition of the "enslaved-enslaver attachment," below. See also, Robb, "Beyond Agency," 502.

5 Robb, "Beyond Agency," 494.

6 Bruno Latour, "Agency at the time of the Anthropocene," *New Literary History* 45 (2014): 14–16.

promoting the study of enslavement in a specific country or society. Not surprisingly therefore, servility in the Atlantic world, especially in the US and Brazil, has dominated the first decades of writing in the field.

Although a number of studies were dedicated to Greek, Roman, and other empires in antiquity, as to medieval European and non-European bondage, the bulk of the output, and often the methodological sophistication, have been in early modern and modern enslavement in the Atlantic world. The high numbers enslaved in the Antebellum South, the fact that the available sources for research readily lent themselves to economic and quantitative analysis, their quality, and the keen interest by African-Americans, as by students of post-emancipation US history, have all accounted for the outpouring of research in the first decades of writing, which still persists today, although to a palpably reduced extent. A similar trend is noticeable in Brazil, where high demand for scholarship on the heritage of enslavement and race relations has produced a larger number of works than in the US, though the overwhelming majority of these is accessible only in Portuguese.

Only a decade and a half ago, Cooper, Holt, and Scott dated the beginning of "the enormous interest in comparative slavery" to Frank Tannenbaum's *Slave and Citizen* (1946), which peaked "in the 1960s and 1970s…." They added that "Tannenbaum's book, as well as Stanley Elkins' *Slavery* (1959) and several others, used comparison to make a point about the contemporary United States. …"[7] That, of course, was the meaning of "comparison" at the time, namely between north and south America, still well within the world of Atlantic enslavement. Another small trace of comparison can be noticed in work done on the US South versus enslavement in antiquity.[8] Indeed, only from the second half of the 1990s, global-scale comparative work has included non-Atlantic enslaving societies, among them Muslim-majority ones. An important move in that direction has been the publication of the canonical *Cambridge World History of Slavery* in three volumes.[9] Chronologically arranged, these offer work by leading scholars on enslavement in Europe, Russia, Africa, the Middle East and North Africa, the Indian Ocean, and South-East Asia. While the balance of chapters in these volumes still privileges the treatment of slavery and the slave trade in Atlantic societies, the dam has clearly been breached.

7 Frederick Cooper, Thomas C. Holt, and Rebecca J. Scott, *Beyond Slavery: Explorations of Race, Labor, and Citizenship in Postemancipation Societies* (Chapel Hill: The University of North Carolina Press, 2000), 1–2.

8 Ronald Findlay, "Slavery, Incentives, and Manumission: A Theoretical Model," *Journal of Political Economy* 83 (1975): 924–26.

9 David Eltis et al., eds., *The Cambridge World History of Slavery*, vol. 2 (in preparation), vol. 3 (published in 2011), and vol. 4 (2017). Vol. 3 has actually been in preparation from the early 2000s, beginning to reflect the shifting view on global, comparative enslavement.

The inclusion of other areas and the move towards a truly global understanding of enslavement owes a great deal to the efforts of scholars working on non-Atlantic societies, including Muslim-majority ones. The study of the history of enslavement in those parts of the globe has achieved in recent years volume, dynamics, and maturity that make it one of the leading, cutting-edge sub-fields in Middle Eastern and North African studies. With a respectable list of monographs and articles published over the past decade or so,[10] we are now able to contribute insights that help also better understand neglected phenomena in Atlantic slavery as well, such as the nature of the relationships formed in household bondage, not just in gang servile labor on large estates and cash-crop plantations. Non-Atlantic societies, especially in the Indian Ocean world and Muslim-ruled areas, offer their specific and often different forms of slavery, and their diverse notions of abolition and post-emancipation histories. How far we have come is evident in the changing notion of "comparative" described above.

This "comparative turn" in enslavement studies has—inadvertently—invited scholars with theoretical inclinations to offer models for explaining the many varieties of human bondage in history. It is not surprising, therefore, that we are also witnessing a pike in new overarching theories that seek unifying models. To be sure, there were earlier waves of competing models, going back to the Nieboer-Domar hypothesis,[11] Alfred Zimmern's self-manumission,[12] Gilberto Freyre and Frank Tannenbaum on Brazil-US comparative post-emancipation realities,[13] and Moses Finley's Slave Societies,[14] to name just a few. These will be briefly discussed in the first section of the chapter. But before we move on to actual "models," let me add a point specifically about our own area of MENA concentration.

As we develop our understanding of regional varieties and suggest nuanced typologies, it becomes clearer that we are dealing with enslavement of the kind closer to what Moses Finley described as "societies with slaves," rather than "slave societies" (see also further below). Enslavement in Muslim-majority so-

10 Some of the better known works are by the following authors: Ehud R. Toledano, Hakan Erdem, Eve Troutt Powell, Madeline Zilfi, Chouki El-Hamel, Muhammad Ennaji, Ismael Musa Montana, Behnaz Mirzai, Terrence Walz and Kenneth Cuno, Alaine Hutson, Michael LaRue, Paul E. Lovejoy, Amal N. Ghazal, and Matthew S. Hopper.

11 H.J. Nieboer, *Slavery as an Industrial System: Ethnological Researches* (The Hague: Martinus Nijhoff, 1900); Evsey D. Domar, "The Causes of Slavery and Serfdom: A Hypothesis," *Journal of Economic History* 30 (1945): 18–32.

12 For some interesting comments on that, see Findlay, "Slavery," 923–34.

13 Jean M. Hébrard, "Slavery in Brazil: Brazilian Scholars in the Key Interpretive Debates," *Translating the Americas* 1 (2013): 47–95, specifically on that, 50–53.

14 For the basics of the Finley model, see Moses I. Finley, *Ancient Slavery and Modern Ideology* (London: Chatto and Windus, 1980), 147–50. For a thorough critique of the model, see Noel Lenski, "Framing the Question: What is a Slave Society?" in *What is a Slave Society? The Practice of Slavery in Global Perspective*, ed. Catherine M. Cameron and Noel Lenski (Cambridge: CUP, 2018), Chapter 1.

cieties was more akin to the Indian Ocean "model" than to the Atlantic one, with all the caveats that such large-scale generalizations *cum* inaccuracies inevitably entail. Slavery in non-Atlantic societies was, by and large, more female-dominated than the male-dominated Atlantic ones, more domestic and less agricultural, more integrative and less exclusionist, and more inclined to gradualist emancipation than one-step abolition. *Inter alia*, it is that last divergence that has been least studied thus far, i. e. the transition from (graded) enslavement to (graded) freedom. Within the study of MENA enslavement, emphasis has been—in descending order—on African and Circassian domestic servile labor in urban elite households, *kul/harem* and *gholam* bondage, menial and agricultural labor performed by enslaved persons, and some work on galley slaves. Admittedly, only little work has been done on enslavement in the regions bordering the Black Sea or the slave trade conducted on its waters.

Some Early Leading Models

Perhaps the earliest attempt at an economic model of enslavement is the Nieboer-Domar hypothesis, which asserts that "in cases of land abundance and labor shortages, the use of slavery was likely to become a vital alternative means of increasing production."[15] Although it has been effectively used by scholars to explain the rise of agricultural enslavement in certain parts of the world, the hypothesis also came under criticism, and revisions have been offered. Erik Green, for example, points out that in the Cape Colony during the 18th century, enslavement emerged as an urban phenomenon. Also, "the use of slaves increased in parallel with other forms of labour, and the role of slaves can be understood only in relation to a wide range of existing labour contracts." To this he adds that

> [o]nce established, slavery came to play a significant role in facilitating increased production on the settler farms… [and that] slavery became a major form of labour was partly a consequence of its existence in the urban areas and partly of how it could be combined with other forms of labour.

Another fairly early economic model of enslavement is Sir Alfred Zimmern's self-manumission theory, which posits the existence of two essential types of en-

15 Nieboer, *Slavery as an Industrial System*; Evsey D. Domar, "The Causes of Slavery and Serfdom: A Hypothesis," *Journal of Economic History* 30 (1945): 18–32. For analysis and revision of the model, see Erik Green, "The Economics of Slavery in the Eighteenth-Century Cape Colony: Revising the Nieboer-Domar Hypothesis," *IRSH* 59 (2014): 39–70 (the quote is from 39).

slavement.[16] One type is commonly associated with plantation slavery in the southern United States, as also with the servile labor used in the ancient world, e. g. on silver mines in Athens, Nubian gold mines, and on the large estates of Sicily and southern Italy in Roman times. In economic terms, in that type of slavery large numbers of enslaved men performed simple, repetitive tasks, making for economies of scale in supervision costs. The other type of enslavement, noticeable in antiquity too, is more akin to the one we encounter in Muslim-majority societies, where a large variety of tasks is present, from domestic servility to positions of authority, e. g. *kul/harem/gholam* bondage. In that type, a variety of incentives were deployed to ensure that the enslaved would cooperate and be productive. Zimmern argues that "the object of the slavemaster as an economic man is to give his apprentices the maximum amount of motive for working while leaving them the minimum amount of profit from their work." The enslaved could then accumulate the resources necessary to obtain manumission.

Ronald Findlay takes Zimmern's model and develops it further. In his theory of slavery and manumission, Findlay argues that "the effective labor provided by slaves is a function of both the level of supervision costs incurred by the owner and the incentive payments received by the slaves."[17] He further posits that "the optimal combination of supervision costs and incentive payments is determined together with the input of physical capital," and that "the length of time it would take for a slave to purchase his freedom out of savings from his incentive payments is derived and is shown to vary inversely with the rate of interest." Fogel and Engerman corrected Zimmern's model by adding that US South coercion also included a system of incentives that mitigated its harshness. Accepting that, Findlay then proceeds to develop a series of mathematical equations and a chart, to establish the connection between enslaver-income, enslaved-earnings and savings, and manumission.[18]

Two leading historians of Brazilian enslavement proffer the view that "Brazilian historians and economists are doing more studies on their institution of slavery than is now occurring in the United States, despite the imbalance in the size of the historical profession in the two countries."[19] As I have argued more generally above, the sheer size of Brazil's enslaved population, the duration of the

16 Alfred Zimmern, "Was Greek Civilization Based on Slave Labour?" Reprinted as chapters 4 and 5 of *Solon and Croesus* (London: Oxford University Press, 1928), the quote is from 122. For comments on that, see Findlay, "Slavery," 923–34.

17 Findlay, "Slavery," 923.

18 Findlay, "Slavery," 927–32; citing (926) Robert William Fogel and Stanley L. Engerman, *Time on the Cross: The Economics of American Negro Slavery* (Boston: Little, Brown and Company, 1974).

19 Herbert S. Klein and Francisco Vidal Luna, *Slavery in Brazil* (Cambridge: Cambridge University Press, 2010), ix.

practice, and the demand by descendants for historical research into their heritage have created this large-scale flow of studies. About the latter factor, writes Jean M. Hébrard that only as late as the 1970s, "the history of slavery [in Brazil] became a central focus of intellectual debate, including heated disputes over politics and memory. Once this had begun, nothing could stop the rush of research or the sheer intensity of argument that still characterizes this extremely rich area of Brazilian academia."[20] Whereas the work of Gilberto Freyre, carried out both in Brazil and the US, opened up the issue of race and enslavement in Bahia and elsewhere, much of the later scholarly work done in Brazil has remained in Portuguese, lamentably outside the main discourse about enslavement.

Freyre's major contribution to understanding Brazilian enslavement and its aftermath provided a sort of another "model." He believed that the patriarchal social order that emerged on the colonial sugar plantation and within its "big house" (*casa grande*), where enslavers and enslaved lived together, produced for both men and women, Africans and Portuguese, the *mestiçagem* ("mixture") that characterized Brazilian society. Freyre saw in that social order opportunity for integration and progress, not racial degradation. Interracial relations under *mestiçagem* were less harsh than those of other colonial empires, he argued, adding that the Portuguese colonist saw the slave a human in servitude, and was able to distinguish between the enslaved as commodity and the enslaved as racialized being. Despite the violence of Brazil's enslaving society, it did not dehumanize the enslaved, the freed, and their descendants, and was able to integrate them.[21]

Frank Tannenbaum developed Freyre's ideas into a specific model comparing Brazil-US post-emancipation realities.[22] He drew a clear dichotomy between Catholic and Protestant post-enslavement societies, in which Catholic-dominated societies demonstrated a milder, "race mixture" construction of race, whereas in Protestant ones racial segregation prevailed. As in most other models, such clear-cut categories attract much debate and criticism, in this case in both the U.S. and Brazil. Twenty-five years later, Carl N. Degler tested Tannenbaum's controversial model in his *Neither Black nor White: Slavery and Race Relations in*

20 Jean M. Hébrard, "Slavery in Brazil: Brazilian Scholars in the Key Interpretive Debates," *Translating the Americas* 1 (2013): 49.

21 Freyre's book, entitled *Casa-grande e senzala: formação da família brasileira sob o regime de economia patriarcal* (Rio de Janeiro: Maia e Schmidt, 1933), was translated into English by Samuel Putnam in 1946 as *The Masters and the Slaves (Casa-grande & senzala): A Study in the Development of Brazilian Civilization* (New York: Knopf, 1946). See also, Hébrard, "Slavery in Brazil," 52–53.

22 Hébrard, "Slavery in Brazil," specifically on that, 51–53. For details, see Frank Tannenbaum, *Slave and Citizen* (New York: Beacon Press, 1947).

Brazil and the United State,[23] which won the Pulitzer-Prize in 1971. Degler's extensive comparative work rejected the view that it was the humane nature of Brazilian enslavement, in contrast to the US experience, that avoided rigid segregation and allowed Afro-Brazilians to profit economically and retain more of their African culture than in the US. Degler argued instead for a combination of demographic, economic, and cultural factors as the basis for US-Brazilian differences: with greater numbers of enslaved Africans and a more significant degree of racial mixture, northern Brazilian provinces enabled class to overrule racial divergence (the syndrome of "money whitens").

The last model in this section is Moses Finley's famous, and fairly widely accepted, distinction between "slave societies" and "societies with slaves."[24] His *Encyclopedia of World Sociology* article, published in 1956, defines for the first time the line separating these two types of enslaving societies:

> The distinction is particularly sharp as between *genuine* slave societies—classical Greece (except Sparta) and Rome, the American South and the Caribbean—on the one hand, and *slave-owning* societies as found in the ancient Near East (including Egypt), India, or China, on the other hand… What counts in evaluating the place of slavery in any society is, therefore, not absolute totals or proportions, but rather *location* and *function.* If the economic and political elite depended primarily on slave labor for basic production, then one may speak of a slave society.[25]

In subsequent works—*The Ancient Economy* (1973) and *Ancient Slavery and Modern Ideology* (1980)—Finley further elaborated his views about what he called "genuine slave societies."[26] He came to see these as having a significant enslaved population, which he put at 20% or more. The enslaved population also had to be a major surplus-producer, and they must have possessed a significant cultural influence. Finley described Classical Greece and Rome as the original "genuine slave societies," but later added the US South, the colonial Caribbean, and Brazil to that category.[27] This model conveniently bridges the following three decades, when "model production" seemed on the wane, as the globally comparative approach to enslavement was beginning to form in monographs written at the turn of the century and during the first decades of the next. Special research

23 Carl N. Degler, *Neither Black nor White: Slavery and Race Relations in Brazil and the United State*, (Madison: The University of Wisconsin Press, 1971).

24 For the basics of the Finley model, see Moses I. Finley, *Ancient Slavery and Modern Ideology* (London: Chatto and Windus, 1980), 147–50. For a thorough critique of the model, see Lenski, "What is a Slave Society?"

25 Finley, *Encyclopedia*, 308 and 310.

26 Finley, *Ancient Economy*, 71, and Finley, *Ancient Slavery*, 147–50.

27 Finley, *Ancient Slavery*, 77, 148. See also, Keith Hopkins, *Conquerors and Slaves* (Cambridge: Cambridge University Press, 1981), 99–100.

activity occurred around the 2007 bicentennial of the 1807 Abolition of the Slave Trade Act in the Atlantic.

Some Recent Models

A connecting link in theoretical enslavement models was Orlando Patterson's influential sociological model, published in 1980.[28] His *Slavery and Social Death: A Comparative Study*, a massive scholarly endeavor globally covering the variety of bondage forms, defines enslavement as "the permanent, violent domination of natally alienated and generally dishonored persons."[29] It is on the "honor question" that I criticized Patterson's understanding of elite enslavement in the Mamluk Sultanate, as in the Ottoman and Qajar empires.[30] Insisting that "… while they [i. e. *mamluk*s/*kul*s/*gholam*s, ERT] may have been greatly honored by their doting masters," he asserts that "none of these slaves were in themselves honorable persons … [since] to be honored does not imply that one is honorable."[31]

My argument with Patterson on this point is that the distinction between being honored and being honorable is so hollow and detached from the realities we recognize in Ottoman, Qajar, and other Islamic societies, that it casts doubt on the actual understanding of the status, role, and relational position of *kul*s/*gholam*s or *mamluk*s as historic beings, both individually and as a socio-political group. Dror Ze'evi and others have further criticized Patterson's notion of kinlessness with regard to Ottoman *kul*s, given the known ties they continued to maintain with their original families back in their countries of origin. The notion of "genealogical isolates" that Patterson attributes to members of the servile military-administrative elite defies later anthropological understanding of kin, genealogy, and the forging of attachment to family, community, and tribe.[32]

28 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1980). For critique by historians of Patterson's model, see John Bodel and Walter Scheidel, eds., *After Slavery and Social Death* (Hoboken, NJ: John Wiley & Sons, Inc., 2017).

29 Patterson, *Social Death*, 13.

30 Ehud R. Toledano, "Ottoman Elite Enslavement and 'Social Death,'" in *After Slavery and Social Death*, ed. John Bodel and Walter Scheidel (Hoboken, NJ: John Wiley & Sons, Inc., 2017), 136–49.

31 Patterson, *Social Death*, 331–32.

32 Dror Ze'evi, "My Slave, My Son, My Lord: Slavery, Family, and State in the Islamic Middle East," in *Slave Elites in the Middle East and Africa: A Comparative Study*, ed. Toru Miura and John Edward Philips (London: Kegan Paul International, 2000), 75–76. For kinship and genealogy, see Dale F. Eickelman, *The Middle East: An Anthropological Approach* (Englewood Cliffs, NJ: Prentice-Hall, 1981), 85–87 and 105–7, the quote is from 105; Rudi Paul Lindner, Review of "Paul Wittek. *The Rise of the Ottoman Empire: Studies in the History of Turkey,*

Following Patterson's sociological model that went into circulation in the 1980s, a well thought-out anthropological theory of enslavement was published by Claude Meillassoux in 1986.[33] The model derives from precolonial African slavery and examines the various social systems that made large-scale enslavement possible. It advances the argument, now well within scholarly consensus, that the practices of enslavement were far more complex and pervasive than previously suspected. Working out of his West African empirical data, Meillassoux treats enslavement and kinship, reaching similar conclusions to those of Patterson on that issue, as he talks of enslaved persons as "Unborn and Reprieved from Death" and their resistance as "Revenge of the anti-Kin." But he also looks at "Aristocratic Slavery" (our military-administrative, or elite, enslavement), and "Merchant Slavery," which examines the economics of the trade and its agricultural context. Another French social anthropologist, Alain Testart, produced a sociology of enslavement in his 2001 book *L'esclave, la dette et le pouvoir: Études de sociologie comparative.*[34] Testart stressed the exclusion of the enslaved, which was enshrined in law from ancient Greece and Rome to pre-colonial Africa and beyond.

From the 1990s, a contentious debate evolved between enslavement scholars working on the Atlantic, most notably David Eltis, David Richardson, and Paul Lovejoy, and those, led mainly by Gwyn Campbell at McGill's Indian Ocean World Centre (IOWC). Campbell argues that Indian Ocean enslavement presented a distinct and different model from the Atlantic one.[35] In the Indian Ocean, he asserts, the enslaved were overwhelmingly female, domestic, and non-African, whereas in the Atlantic, African males and gang labor in agriculture prevailed. The issue still is, how true the Atlantic/Indian Ocean distinction is across the board, or whether we have a variety of enslavement types in both worlds, perhaps only to different degrees.

In recent years, the current comparative phase in enslavement studies has produced at least three new attempts to offer comprehensive, global models. Dale

13th–15th Centuries, ed. Colin Heywood (Royal Asiatic Society Books. London: Routledge, 2012), H-TURK, 14 June 2014; and Lindner, "Stimulus and Justification in Early Ottoman History," *Greek Orthodox Theological Review* 27 (1982): 217.

33 Claude Meillassoux, *Anthropologie de l'esclavage: le ventre de fer et d'argent* (Paris: Presses universitaires de France, 1986); an English translation was published five years later, *The Anthropology of Slavery: The Womb of Iron and Gold* (Chicago: The University of Chicago Press, 1991). See also Martin A. Klein, "Towards a Theory of Slavery [Note Critique]," *Cahiers d'études africaines* 26 (1986): 693–97.

34 Alain Testart, *L'esclave, la dette et le pouvoir: Études de sociologie comparative* (Paris: Errance, 2001), 28–31.

35 The argument is presented in the Introduction as in the various chapters of the edited volume: Gwyn Campbell, ed., *The Structure of Slavery in Indian Ocean Africa and Asia* (London: Routledge, 2003).

Tomich's "Second Slavery" sees 19th-century enslavement in the Atlantic world as a new economic phenomenon with special characteristics that had not developed naturally from its predecessors.[36] Tomich and his main collaborator Michael Zeuske believe that enslavement in the Americas during that period was a thoroughly modern practice, not an antiquated, obsolete institution that was eased out of existence because it conflicted with modernity. The proper context for understanding the dynamics of enslavement and abolition is the world economy, and that both constituted, as Tomich writes, "complex, multiple, and qualitatively different relations within the global processes of accumulation and division of labor …" He adds that

> The second slavery consolidated a new international division of labor and provided important industrial raw materials and foodstuffs for industrializing core powers. Far from being a moribund institution during the nineteenth century, slavery demonstrated its adaptability and vitality … Nevertheless, the transformation of the world economy made the conditions of the existence of slave labor more vulnerable and volatile than previously … Price competition in an expanding world market and the growth of wage labor made the productivity of labor more important …

Jeff Fynn-Paul's "Slaving Zones" is another interesting attempt at creating a global explanation of enslavement patterns.[37] "Slaving Zones" were places from which slaves could be captured or purchased; they tended to be populated by non-monotheistic societies. Monotheistic societies, on the other hand, created "no-slaving zones," which were theoretically, and often effectively, off limits to slaving. Some societies were internally fractured along race, creed, or ethnicity lines, allowing the enslavement of weaker groups even within no-slaving zones. Thus, fractures can exist even within a given society, when some groups, "such as criminals, or the poor, or people of a certain race, creed, or ethnicity might be legitimate slave targets, while others are off limits." Hence, argues Fynn-

36 For various aspects of this model, see: Dale W. Tomich, "The 'Second Slavery': Bonded Labor and the Transformation of the Nineteenth-Century World Economy," in *Through the Prism of Slavery: Labor, Capital, and World Economy*, ed. Tomich (Oxford: Rowman & Littlefield, 2004), 69–71; Tomich, "Commodity Frontiers, Conjuncture and Crisis: The Remaking of the Caribbean Sugar Industry, 1783–1866," in *The Second Slavery: Mass Slaveries and Modernity in the Americas and in the Atlantic Basin*, ed. Javier Laviña and Michael Zeuske (Berlin: Lit Verlag, 2014), 143–64; in the same volume: Michael Zeuske, "The Second Slavery: Modernity, Mobility, and Identity of Captives in Nineteenth-Century Cuba and the Atlantic World," 113–42, and Anthony E. Kaye, "The Second Slavery: Modernity in the 19th-Century South and the Atlantic World," 175–202.

37 An outline of the model appeared in Damian Alan, "CFP: Slaving Zones: Cultural Identities, Ideologies, and Institutions in the Evolution of Global Slavery," An International Conference to be Hosted by Leiden University, The Netherlands, 1–2 June 2015, published on *H-SLAVERY*, November 13, 2014. The volume based on that conference is in the making: Jeff Fynn-Paul, Damian Pargas, and Karwan Fatah-Black, ed. *Slaving Zones: Cultural Identities, Ideologies, and Institutions in the Evolution of Global Slavery* (Leiden: Brill, 2018).

Paul, "identity and ideology play[ed] key roles in determining the actual boundaries of slaving zones, often just as much, or more, than political and economic organization."

The latest theory "on the market" is Noel Lenski's "Intensification Model."[38] Although Lenski's latest work deconstructs the Finley model ("slave societies" versus "societies with slaves"), and leaves not one of its stones unturned, what he offers as an alternative is, in the end, a revised and adjusted version of Finley's main building blocks. Thus, his Intensification Model suggests two sets of four components each, in order to classify societies according to their "intensity" degree in relation to "true slavery," or "ideal-[type] slave society" according to his definition. This is a thoughtful method of measuring the variables, or aspects of enslavement, for both "master" (enslaver) and "slave" (enslaved), which in turn spreads each given society on comparative charts. The charts are then collapsed into a "Cartesian grid" that reflects their relative standing to the ideal-type and to each other. The Lenski model, therefore, builds on and improves Finley's rather than supplants it altogether. Even by Lenski's own admission, Intensification "keep[s] alive the spirit of Moses Finley's inquiry," while "alter[ing] his terms for the debate."

Accordingly, Lenski provides a "benchmark for comparing" structures of dependency which is not "a binary but a scale, or rather a series of scales," in his terms vectors of intensification. What this does is to apply the same analytical device used for quite some time to study enslavement within societies to a comparative study across enslaving societies. For, graded continuums of enslavement, and their more recent extension to graded continuums of freedom, are analytically quite akin to Lenski's set of graded scales that measure all enslaving societies throughout the ages by the yardstick of an ideal-type, freshly defined "true slavery." For many historians who are interested in what models have to offer, Intensification might float a bit too many variables and parameters, putting forth a matrix that requires extensive quantification, which is far more complex to apply in comparison to Finley's or Patterson's models. Especially where data are scarce, inaccessible, or unreliable, simplicity and clarity are a real virtue for scholars working in such challenging environments.

In sum, most models in the past, as the more recent ones by Tomich-Zeuske and Lenski, emphasize quantitative economic elements. However, Meillassoux, Testart, Patterson, and Fynn-Paul stress "softer" components drawn from anthropology and sociology, such as identity and ideology, or "systems of meaning," in Clifford Geertz's "parlance." But, for historians, all past and present models pose a major difficulty, which of course goes well beyond enslavement

38 Lenski, "What is a Slave Society?"

studies. This, and my own interpretative schema, are discussed in the next and last section of the chapter.

Conclusion

Professional historians would immediately notice that Noel Lenski's "demolition job" on Finley's model[39] somehow misses the main point of Finley's and most other models. This is mainly because historians do not expect models to work in all places and at all times, and counter-evidence does not invalidate what the model is supposed to do for us, i. e. tighten the analysis and render accessible new explanations. Inductive work, from the evidence to the generalization, assumes that there will always be "exceptions to the rule;" we do not work with governing laws, notations, or equations. All models are "constructs" derived from empirical studies done by historians, and the notion of "Slave Society" was, in Lenski's words, "invented with the good intention of comparing slaveholding practices across societies."[40] For the many historians, past and present, who have found Finley's model "useful," Lenski's assertion that it "became reified into a vaguely articulated, seductively exclusive category of sociological analysis" has not been a major concern, even if we accept much of the criticism Lenski levels at the ways Finley's model was applied to specific enslaving societies.

Most societies in the Ottoman and Qajar empires, many Islamic, and not a few Indian Ocean ones as well, practiced enslavement for much of their history in meaningfully different ways from most modern-time Atlantic-world societies. Others in the Atlantic world during certain periods of time enslaved and treated bonded persons in ways that were similar to Ottoman, Qajar, other Islamic, and Indian Ocean societies. And conversely, during certain periods of time, the latter —including African ones—practiced enslavement in ways that were similar to those that prevailed in the Atlantic world. Finley's "slave societies" versus "societies with slaves" has captured that distinction quite succinctly and effectively for many historians, inaccuracies and all. In fact, even historians who find Finley's model useful for drawing large-scale distinctions among societies that practiced enslavement, often, as I have done too, replace its bipolarity with a continuum of degrees of bondage.[41] In fact, Finley himself argued that "the ancient world was characterized by a continuous spectrum of various degrees of

39 Lenski, "What is a Slave Society?"

40 Lenski, "What is a Slave Society?"

41 For example, see Ehud R. Toledano, "The Concept of Slavery in Ottoman and Other Muslim Societies: Dichotomy or Continuum?" in *Slave Elites in the Middle East and Africa: A Comparative Study*, ed. Toru Miura and John Edward Philips (London: Kegan Paul International, 2000), 159–76.

bondage" in a way that tempers what Lenski sees as the model's rigid dichotomy between slavery and freedom.[42]

Incorrigible induction-driven that historians are, and enslaved to our time-spaced evidence, we have been reluctant to adopt models lock, stock, and barrel. Instead, open-minded scholars have been inspired by parts of models, mainly those that analyze the problematique and offer possible explanations to the issues tackled in case research. Unlike deduction-guided social scientists, historians have, for the most part, rejected models as panaceas; it would be inconceivable for a dissertation advisor in history to ask a doctoral student to interrogate an historical case study against an existing model. Thus, arguably, the most successful models among historians of enslavement over the past several decades have been Finley's Slave Societies and Patterson's Social Death. The reason, I would argue, is that both are fairly simple to use, offering the kind of concise and effective language that can be deployed in historical explanations. Both are not too demanding or overly pretentious in their supposed *rigueur intellectuelle*, they simply "do the job" of clarifying some of the points historians seek to make about "their" given enslaving society.

It is with this limited view in mind that I use Finley's model in my own work. As an historian of Ottoman and Islamic enslavement in the early modern and modern eras, all I want from that model is the pure and simple way it enables me to distinguish enslavement in these societies from the better known, more familiar, Atlantic world societies. By and large, enslavement in Atlantic societies—intuitively accessible to the readers' mind—was numerically larger, economically more important, and socially more central. The distinction between "slave societies" and "societies with slaves" is useful to me also because it is very familiar to scholars working on other enslaving societies. To me, it is much less of a concern whether or not the model is applicable to all such societies—to be sure, it is not—or if Finley's observations are correct across the board—quite clearly they are not. In so far as theories and models go, historians are eclectic and noncommittal; as an historian, I too take what I find useful and drop the rest.

At the same time, Patterson's model betrays too many inaccuracies in order for it to appeal to historians of enslavement in Muslim-majority societies. It would be naively futile to expect that time-space bound historians would not find faults and misconceptions in his work. Almost by definition, to historians most sociological work is "decontextualized," or "ahistorical." Indeed, perhaps one of the strongest critiques of Patterson's work is offered by Joseph C. Miller in his *The*

42 M. I. Finley, "Between Slavery and Freedom," *Comparative Studies in Society and History* 6 (1964): 233–49.

Problem of Slavery as History: A Global Approach.[43] Patterson's book, argues Miller, examines slavery on a "sweepingly global scale, though not historically." The dynamic elements that the work does address, he continues, are not of "a historical sort that would embed particular masters and their slaves in specific times and specific places." This is, in other words, the epic sin of non-historians, i. e. extracting "generalized masters and their slaves from the specific situation in which they lived." As the master-slave (enslaver-enslaved) dyad is thus isolated from all social context, snaps Miller, the enslaved are condemned not only "to the living historical hell of de-contextualization," but both enslavers and enslaved are also positioned outside "the larger social and temporal matrices in which they lived."

To counter such criticism in advance, Ronald Findlay argues that his model, discussed above, "is purely deductive and formal in character and makes no assertion about what slavery in antiquity, the old South, or anywhere else, for that matter, was 'really like.' The extent to which the assumptions and implications of the model apply to any particular slave system are a matter for empirical investigation and beyond the author's competence. It is of course hoped, however, that the model might be of some relevance to historical studies."[44] So, the "model" I have offered for understanding enslavement in the empires of the MENA region is really in line with Findlay's qualifications: it is rather an interpretative schema that might or might not apply also to other historical "societies with slaves."

Before I continue, let me add that it seems that our sub-field of enslavement studies is coming up with a consensus about the proper way to understand the nature of bondage in the Middle East and North Africa during Ottoman and Qajar times. We are also re-conceptualizing the spectrum of civil and human rights enjoyed by communities of formerly-enslaved persons and their descendants in the post-emancipation successor states. In line with trends in adjacent fields of socio-cultural history, such as gender, sexuality, race, and ethnicity studies, we are moving away from binaries to continuums, from black and white categories to constructs of various shades of grey; the words complex, intricate, blurred boundaries increasingly populate works that are being produced these days.

Writing in 2006, Afsaneh Najmabadi asked the question: "What can we make of the fact that the only categories of gender that run through so much of our gender scholarship are women and men, masculinity and femininity?"[45] She then

43 Joseph C. Miller, *The Problem of Slavery as History: A Global Approach* (New Haven: Yale University Press, 2012), 20–22, 31–33, 70–71. Quotes in this paragraph are from 20.

44 Findlay, "Slavery," 926.

45 Afsaneh Najmabadi, "Beyond the Americas: Are Gender and Sexuality Useful Categories of Analysis?" *Journal of Women's History* 18 (2006): 11–13.

suggests that masculinity should be "analyzed as an internally fractured concept, as it is done in some of the studies that bring race and ethnicity to bear on masculinity." In each of the so-called binary categories, there are internal lines of scrimmage, so to speak, involving color, religion, nationalism, and even age. Thus, for example, Najmabadi asks, "what if the critical delineation for adult manhood is *not* with womanhood but with adolescent malehood?" We are clearly at risk, in her language, of "naturalizing (and by implication atemporalizing) gender." To that I would readily contribute the risk of drawing the lines of demarcation rigidly between enslaved and free, ignoring the fact that these are, historically, categories that are fractured along class, race, age, gender, nation, and to my mind, also socialization-enculturation processes. As scholars in Queer studies insist for gender and sexuality, enslaved life realities were made up rather of gradations and complexity along continuums than binary dichotomies.

Let me turn now to my own input regarding the changing notion of individual enslavement from a master-slave dyad to an enslaver-enslaved relationship. Since this is a concept that I have introduced to Islamic studies in the early 2000s, most specifically in my 2007 book *As If Silent and Absent*,[46] I would like to acknowledge the intellectual debt that I owe to some leading authorities on enslavement elsewhere. The notion of paternalism, or patronage, in the "master-slave" relationship was developed by Eugene Genovese in his *Roll, Jordan, Roll: The World the Slaves Made*.[47] That later morphed into Patterson's sociobiological metaphor of "parasitism." Power, he writes in *Slavery and Social Death*, "is not a 'static entity,'" adding that the holder-slave relationship was "an ongoing social process," whose "dialectics must be exposed," that it was "not wholly asymmetric," and that sometimes the balance tilted in favor of the enslaved.

Patterson has also introduced the notions of "mutualism," "gradation," and "continuum," asserting that the continuum ranged from a point close to true mutualism to a point short of total parasitism. Finally, Alain Testart, already mentioned in this talk, has added his own view of the global continuum covering different forms of enslavement in a variety of societies, that is—a continuum among societies, not just within them. Testart is also closer to Patterson's notion of kinlessness, looking at enslavement as "a whole gradation between complete dependency [of the enslaved] and complete freedom." My definition of enslavement contains some of the elements proposed by these scholars, though with a twist that adjusts them to realities in the societies of the Middle East and North Africa.

46 Ehud R. Toledano, *As If Silent and Absent: Bonds of Enslavement in Islamic Middle East* (New Haven, CT: Yale University Press, 2007).

47 Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1974).

As we move from the master-slave dyad to an enslaver-enslaved relationship, we need to recognize that enslavement was the most extreme form of domination and dependency. Still, a better understanding of it as a dynamic analytic device can be gained only if we view it as an 'involuntary' relationship of mutual dependence between two quite 'unequal' partners. Within this broad definition, there were certainly cases in which enslaved persons had little impact on their lives, as there were other situations in which they had considerable agency vis-à-vis their enslavers. Historicized, concrete agency is "the capacity for effective and meaningful action"[48] in a specific time-space situation.

In all cases however, the ability of Ottoman enslaved persons to stand their ground in the relationship with their enslavers depended on the extent to which they could withhold their labor in order to achieve what they saw as minimal existential requirements. In other words, that agency depended on their ability to deny services, whether in the fields, the mines, or the household—the last including sexual services, rearing, and nurturing, in addition to the rest of the domestic labor "package." That was the complex nature of what I call the enslaved-enslaver attachment. In addition, material agency can be identified in, for example, the *zar-bori* rituals and the Calf Festival (*Dana Bayramı*) performed by enslaved African-Ottomans in Istanbul and Izmir during much of the 19th century.[49]

So, the last point I would stress in wrapping is that agency too was distributed and displayed on a continuum. In each of the several types of enslavement in Ottoman and Muslim-majority societies,[50] enslaved persons could exercise agency in different ways and to differing extents. Thus, the higher ranks within *kul*/*harem* military-administrative afforded greater agency to individuals, who could more comfortably negotiate their position vis-à-vis the ruler's court and the top provincial governors and military officeholders. Unfree domestic servants in elite households would come second in the level of agency they possessed, whereas men enslaved in pearl diving, mining, and occasional public works were less able to negotiate their harsher labor and living conditions.

Although enslaved agricultural workers were among the most exploited and oppressed among the unfree working population, the picture here is more complex. Enslaved agricultural Circassians—expelled by the Russians from the Caucasus in the 1850s and 1860s—did rebel successfully against their landlords after resettlement in the Ottoman Empire, and the Sudanese men—coerced into military enslavement in Mehmet Ali's Egyptian army from about 1815—created enough problems to the government that the practice had to be eventually

48 See Robb, "Beyond Agency," 515.
49 See Toledano, *As If Silent and Absent*, Chapter 5.
50 For more on that, see Toledano, "Ottoman Elite," 148–49.

abandoned by 1822. At the same time, agricultural servile labor in the lowland oases of the Arabian Peninsula has to rank among the least agency-enabling situations in the MENA regions.

This differentiated notion of agency joins the diversity in the functions performed by enslaved persons in Ottoman societies and, to boot, the equally-varied origin culture spaces whence the enslaved were snatched and forcefully transported; they all constitute the fabric of Ottoman enslavement as a subject of research and study. Despite that diversity, Ottoman and Islamic law sanctioned and regulated the status of all those women and men who were enslaved in and by MENA societies until the first quarter of the twentieth century, and in some areas until the 1960s and beyond. As I have suggested, we should position all types of enslavement on a continuum, with varying origins, cultures, functions, statuses, and degrees of agency.[51] This is not yet another model for reading and explaining bondage, but rather an interpretative schema, which is much less ambitious than many of the models discussed in this chapter. It is hoped and believed that it would appeal to historians of Ottoman, Qajar, and Asian and African Muslim-majority societies, who might find it more suitable to the kind of work we do.

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51 For details, see Toledano, "The Concept of Slavery," especially 173–75.

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Comparative Perspectives

Suraiya Faroqhi

Slave Agencies Compared: The Ottoman and Mughal Empires

Comparing Ottoman and Mughal practices implies a world historical perspective, but this chapter makes no claim to cover the world in its entirety. Even so, while the sketch presented here is short and simplified to excess, it does touch upon sections of South Asia, Western Asia, the Balkans, and Eastern Africa. Ottoman slaveries came in several varieties, differing from period to period and from place to place, and in South Asia, elites of different backgrounds practiced an even greater variety of early modern slaveries. Confronting certain Ottoman practices connected to slavery with their counterparts in South Asia, will thus help us understand what this institution might mean (or not mean) in two early modern empires, both extensive in size and non-capitalist in character.

Our focus is on the period between the early 16th and the mid-19th century. In the Ottoman case, we thus concentrate on the period of imperial maturity, leaving out the very different modes of enslavement current in the formative years of the empire as well as most of the changes that accompanied the administrative restructuring of the mid-1800s known as the Tanzimat. In the South Asian instance, we begin with Bābur's establishment of a kingdom in the Ganges-Yamuna plain in 1526 and end with the fall of the Mughal Dynasty in 1857. While the 'empire' was at most a regional kingdom in the mid-1700s and had lost all physical power to the British East India Company around 1800, the Mughal monarchs of the early 19th century still retained a good deal of respect, among Muslims and in certain Hindu circles as well. Moreover, sources become more abundant in the 18th and early 19th centuries, simply inviting a closer look.

Many issues connected with Ottoman and Indian slaveries are suitable for comparative treatment, but for the time being, we deal with only a single issue, namely slave agency. This topic is particularly difficult, and frequently we need some ingenuity even to detect agency in the available sources. After all, in any slave holding society, the law limits the capacity of slaves to show initiative; and this rule applies to the sharia as well as to any other law. Thus, the slaves, and perhaps their non-slave partners in love, business or crime, may have had reason to hide examples of agency from whoever compiled the records with which the

historian now works, a tactic facilitated by the illiteracy of many—if not most—of the actors at issue.

Especially the successful examples of slave agency often remained undocumented. A male slave working in an Anatolian town might escape to Istanbul and manage to board a ship that might carry him home—flights of this kind were almost impossible for women. Or else, he disappeared into the crowds making a living by petty trades in Istanbul. If detected, such a man might have left a paper trail; if undetected, his fate would normally remain unknown. Some enslaved females must have persuaded their owners to liberate and marry them, by using their physical beauty perhaps combined with cajoling words and gestures, which certainly involved agency. However, this type of story has remained unknown too, unless—in exceptional cases—the owner had taken the trouble of having manumission and marriage ceremonies enter the records of the Islamic courts.

To understand slave agency and its limits, we need to study the legal framework. As the sharia in its Hanefi (*Ḥanafī*) version governed human relations in the Ottoman and Mughal empires, the overall framework was similar in both cases. However, upon occasion, we will refer to the sultanates of the Deccan, where other versions of the sharia might be in use as well. Moreover, in South Asia, different Hindu communities had different views on slavery, particularly, the slavery of women. Furthermore, we have to remember that when one human being is closely dependent upon another, as in the relations between slaves and their masters or mistresses, extra-legal violence will occur, with local customs approving such violence or occasionally limiting it.

Put differently, the customs of a given region determine whether extra-legal violence is widespread or exceptional. If the owner is a male and the slave a female, not a rare case, certain gender-based privileges of males will be part of the legal framework, and in addition, the owners can freely transgress whatever boundaries the law has set, as the imbalance of power does not allow the slave women to protest. To mention but one example: as late as the 19th century, even freed slaves, especially if female, have often found that protection by the Ottoman courts did not necessarily suffice to prevent re-enslavement.[1]

In a comparative study, slave agency becomes even more difficult to approach than if we are dealing with a single society. Despite the Ottoman and Mughal elites sharing the Hanefi version of sharia, its application, in the case of slavery as in other matters, will differ if the societies in question are as different as those of the eastern Mediterranean on the one hand, and those of northern cum central

1 Avi Rubin, "The Slave, the Governor and the Judge: An Ottoman Socio-Legal Drama from the Late Nineteenth Century," in *Society, Law, and Culture in the Middle East: "Modernities" in the Making*, ed. Dror Ze'evi and Ehud R. Toledano (Warsaw: De Gruyter, 2015), 87–103.

India on the other. Some historians have criticized statements contrasting 'law' and 'society,' in the manner proffered here, with the argument that law is a central part of society and we should not treat it as if it were an external factor.[2] A counter-argument is however possible. While the legal system plays a central part in structuring any society, it is true as well, that people in power tend to impose a legal system according them significant advantages, without taking cognizance of the opinions of poor people, whether the latter are slaves or else free in the legal sense of the term. When viewed from the perspective of the poor, or the slaves in our particular case, it does often make sense to treat the legal system as something imposed from the outside on the micro-society of the enslaved.

To deal with this difficult topic, we first list the possibilities of agency available 'in theory' to enslaved men and women, given the prescriptions of the sharia in its Hanefi variety and 'vernacular' Ottoman practice. As a second step, we discuss three examples, namely *mamlūk*s or military slaves, female slaves in royal harems, and eunuchs. Given the limitations of space—and above all, of the present author—these three examples will stand for the many other topics that we might treat in a comparative study of slave initiatives. Thirdly, we attempt to find out what these case studies tell us about the similarities and differences between the types of slave agency possible in the Ottoman and South Asian ambiances, between the early 16th and the mid-19th century. To express it briefly: what could happen, what did happen, and what do we learn from the comparison?

Slave Agency: The Legal System and the Production of Sources

In the Ottoman world, the laws governing the behaviour of masters/mistresses on the one hand, and slaves on the other, are on record in collections of legal opinions (*fetva*) and especially in the registers of local qadis, which tend to focus on urbanites. If slaves were at all frequent in the locality covered, the latter volumes recorded sales, manumissions and occasionally the re-capturing of escaped slaves.[3] These documents are not 'mirror images' of actual practices; and recent scholars have detected the many ways in which legal formulas have ob-

2 Iris Agmon, "Women's History and Ottoman Sharia Court Records: Shifting Perspectives in Social History," *Hawwa* 2 (2004), 172–209. doi:10.1163/1569208041514680 (accessed on 1 December 2018).

3 On *fetva*s compare the thesis of Ali Yaycıoğlu, "Ottoman Fatwa: An Essay on Legal Consultation in the Ottoman Empire," (MA thesis, Bilkent University, 1997). http://repository.bilkent.edu.tr/bitstream/handle/11693/17872/B038310.pdf?sequence=1&isAllowed=y. (accessed on 1 December 2018); and more recently Fırat Yaşa, "Efendi-Köle İlişkisi Bağlamında Şeyhülislam Fetvaları," in *Osmanlı Devletinde Kölelik: Ticaret, Esaret, Yaşam*, ed. Zübeyde Güneş Yağcı, Fırat Yaşa, and Dilek İnan (Istanbul: Tezkire, 2017), 209–26.

scured what happened in real life. At the same time, it is unlikely that we will find sources closer to everyday practice than these texts are.[4] In the Indian world by contrast, no qadi registers seem to exist, and historians of slavery have had little option but to mine the archives wherever they survive and otherwise focus on the chronicles of the time.

Occasionally, historians of South Asia have unearthed documents relevant to slavery that have survived because they served as models for scribes in training.[5] These documents appear in collections that we should regard as 'literary' rather than 'archival.' Put differently, they are not part of any official procedure and thus have no legal standing. Even so, these documents are valuable because they may cover periods and places for which no other sources are extant. At the same time, we have to remember that the compilers may have edited the documents at hand to make them suitable for teaching purposes.[6]

Moreover, in South Asia, Islam remained a minority religion, and while on occasion Hindus applied to the qadi's court, the vast majority of cases never reached any judge from outside the community in which the transaction involving a given slave had once taken place.[7] Nandita Prasad Sahai has pointed out that in a provincial setting, such as the 18th-century Jodhpur principality that she has studied, Hindu laws, as enshrined in classical texts, were mostly unknown to the caste councils deciding many cases involving ordinary people. In Jodhpur, local customs were decisive, in matters of personal status and in other disputes as well. Once again, given widespread illiteracy, many decisions of Jodhpur caste councils presumably never reached the archives.[8] In consequence, we possess a sizeable amount of documentation on Ottoman slaves, while Indian records are more scattered and diverse. The resulting imbalance is substantial, and it is

4 Agmon, "Women's History," 188.

5 Shadab Bano, "Slave Markets in Medieval India," *Proceedings of the Indian History Congress, 61st Session,* Kolkata (2001): 365–73; Shadab Bano, "Slave Acquisition in the Mughal Empire, Professor J. S. Grewal Prize Essay," *Proceedings, 62nd Session,* Kolkata (2002): 317–24; Shadab Bano, "Women Slaves in Medieval India," *Proceedings, 65th Session,* Bareilly (2004): 314–23; Shadab Bano, "Eunuchs in Mughal Royal and Aristocratic Establishments," *Proceedings*, Kolkata (2009): 417–27. Apart from her contributions to the *Proceedings,* see Shadab Bano, "Women Performers and Prostitutes in Medieval India," *Studies in History* 27 (2011): 41–53.

6 Shireen Moosvi, "Travails of a Mercantile Community: Aspects of Life at the Port of Surat (Earlier Half of the Seventeenth Century)," in *People, Taxation and Trade in Mughal India*, ed. Moosvi (New Delhi: Oxford University Press of India, 2008), 275–87.

7 The documents discussed refer to 17th-century Muslim marriage contracts from Surat. On the work performed by women both free and slave see, Shireen Moosvi, "Work and Gender in Mughal India," in *People, Taxation and Trade in Mughal India*, ed. Moosvi (New Delhi: Oxford University Press of India, 2008), 135–58.

8 Nandita Prasad Sahai, *Politics of Patronage and Protest: The State, Society, and Artisans in Early Modern Rajasthan* (Delhi: Oxford University Press, 2006), 97–99.

intriguing—or rather discouraging—that a recent collection of studies on slavery in South Asia has very little to say on the Mughal Empire.[9]

Recently, in a study of relations between the Netherlands and the Indian principalities between about 1550 and 1750, Jos Gommans has pointed out that in the 17th century, the Dutch, supported by Portuguese and Arakan traders, acquired thousands of slaves from the Coromandel Coast and especially from Bengal to work for the Vereenigde Oostindische Compagnie (VOC).[10] Often, these people laboured in the spice plantations; and manumitted ex-slaves converted to Christianity were a substantial part of the people inhabiting those areas of present-day Indonesia that the 17th-century VOC controlled. Thus, Dutch archives are an important and hitherto neglected source for the trade in Indian slaves.

As Islamic law assumes that freedom is the normal condition of humanity, how did people become slaves? Firstly, they might be born as such, and this was the condition of a child born to a slave woman unless her master had recognized it as his own.[11] In the qadi registers of Üsküdar, there survives a case of a female slave obliged to admit that her daughter was not the recognized offspring of her deceased master, but that she had conceived when raped by fellow slaves.[12] In such cases, neither the rape victim nor her child could have exercised agency of any kind. The numerous men, women and children, who lost their freedom because of capture in war, were in the same situation. However, albeit in a very limited sense, a person, usually female, exercised agency when he/she sold himself/herself into slavery. While very detrimental to the person involved, this procedure was legally possible at least in parts of South Asia but not in the Ottoman world, where debt slavery too was unknown.[13]

Once a slave, a man or woman might, as noted, develop some agency to improve his/her living conditions. Skills in a particular trade might be helpful, as they might give rise to services of some significance, which might induce the owner to emancipate his/her servant. In some cases, a slave working as a scribe to a merchant might make the owner feel that the relevant services were indispensable for the functioning of the master's business. Halil Sahillioğlu has shown that in Bursa before and after 1500, some merchants were so well satisfied with

9 Indrani Chatterjee and Richard Eaton, eds., *Slavery and South Asian History* (Bloomington: Indiana University Press, 2006).

10 Jos Gommans, *The Unseen World: The Netherlands and India from 1550* (Amsterdam: Rijksmuseum & Uitgeverij Vantilt, 2018), 75.

11 Joseph Schacht, *An Introduction to Islamic Law* (Oxford: The Clarendon Press, 1984), 127.

12 Suraiya Faroqhi, "Mostly Fugitives: Slaves and Their Trials and Tribulations in Sixteenth-Century Üsküdar," in *Travel and Artisans in the Ottoman Empire: Employment and Mobility in the Early Modern Era,* ed. Faroqhi (London: I. B. Tauris, 2014), 137–38.

13 Shadab Bano, "Slave Markets," 369.

their slaves that they sent them out as their business representatives.[14] A similar situation may be on record in the mid-16th-century registers of Üsküdar. For we may surmise that the Hungarian slave of a resident of Çorum, caught on the Bosporus while trying to escape, believed that returning to his owner was his best option.[15] After all, the recaptured slave wrote to his master—evidently, in this case both sides were literate. Once informed of the whereabouts of his slave, the owner arrived with the requisite witnesses to retrieve his property. Probably, the slave considered this proceeding less dire than facing the uncertainties involved in a new sale, as would have happened if the man from Çorum did not register his claim within three months.[16] Perhaps the slave had made himself indispensable, or at least believed that he had done so. However, sometimes, special skills could be a liability. In 16th-century Ottoman North Africa, artisans expert in ship-building were in high demand, and so were sailors. Thus, captives who hoped to return to their homelands might prefer to conceal any competence in navigation, carpentry or sail making.[17]

In addition, slaves with courage and a talent for interpersonal communication might use these assets to better their lot. Thus, the soldier Johann Wild from Nuremberg, captured in 1604 during the Habsburg-Ottoman Long War (1593–1606) faithfully served the last of his owners, a collector of rural revenues residing in Cairo, saving him from a Bedouin attack at considerable risk to himself. The owner acknowledged these services when formally freeing Wild in front of witnesses and having the qadi issue his manumission document.[18] In South Asia, it is likely that dancers who had gained respect for their art persuaded their owners to exempt them from 'ordinary' prostitution, which was often the lot of less talented young women.

In the Ottoman ambiance, the contracts known as *mükâtebe* and *tedbir* gave slaves a margin for agency. Put differently, these contracts gave the slave hope that he/she would ultimately become a freedman/freedwoman. When concluding a *mükâtebe*, the owner promised to liberate the slave once the latter had performed a stipulated service, which in Bursa around 1500, was sometimes the

14 Halil Sahillioğlu, "Slaves in the Social and Economic Life of Bursa in the late 15th and early 16th Centuries," *Turcica* 17 (1985): 129 n. 22.

15 Çorum is a town in north central Anatolia.

16 Suraiya Faroqhi, "Just Passing Through: Travellers and Sojourners in Mid-Sixteenth Century Istanbul," in Faroqhi, *Travel and Artisans in the Ottoman Empire: Employment and Mobility in the Early Modern Era,* (London: I. B. Tauris, 2014), 120–21.

17 Bartolomé and Lucile Bennassar, *Les Chrétiens d'Allah, l'histoire extraordinaire des renégats, XVIe–XVIIe siècles* (Paris: Perrin, 1989), 362.

18 Johann Wild, *Reysbeschreibung eines Gefangenen Christen Anno 1604*, reprint (Stuttgart: Steingrüben, 1964), 221–30.

manufacture of a certain quantity of cloth.[19] In the later 19th century, the *mükâtebe* was still in use, and the Ottoman government encouraged Circassian slave owners, who had entered the empire with large numbers of slaves, to liberate the latter through this type of contract, for which purpose the authorities made financial inducements available.[20] While a slave partner to a *mükâtebe* contract gained his/her freedom whenever he/she had fulfilled the stipulated conditions, the *tedbir* involved a promise by the owner that the slave would obtain his/her liberty at the death of the master or mistress. While in both cases, the owner could not unilaterally abrogate his/her promise, from the slave's viewpoint, liberation by *tedbir* was riskier.[21] A decedent could only dispose of one third of his/her property by will, and the heirs might claim that the slave was so valuable that his/her price exceeded the amount over which the owner could freely dispose.[22] In Istanbul during the late 1600s, some owners avoided this legal impediment by stipulating that the slave would be free forty days before their own deaths, whenever that might be.[23]

Mükâtebe and *tedbir* involve slave agency firstly because the slave had managed to induce his/her owner to promise future liberation, put differently, he/she had put his master/mistress 'in the right mood.' Secondly, the slave needed to perform some kind of service, and the latter was in itself an example of agency. At least in the mid-1800s, at the end of the period under consideration, 'nuisance value' might sometimes play a role similar to good service. As Ehud R. Toledano has shown, the Circassian slaves arriving in the Ottoman Empire with their masters often hoped for liberation as soon as they entered the sultan's territories. When this hope did not materialize the slaves, who according to Circassian custom frequently bore arms, started fights in the places where the government had resettled them, and the authorities intervened to persuade slave owners to enter *mükâtebe* contracts in view of future manumission.[24]

However, these types of agency were only possible if the owner had not acquired the slave with a view toward resale; for a professional or amateur slave

19 Sahillioğlu, "Slaves," 117. On these contractual agreements, see also Joshua M. White's contribution in the present volume.

20 Ehud R. Toledano, *The Ottoman Slave Trade and its Suppression* (Princeton: Princeton University Press, 1982), 165.

21 Sahillioğlu, "Slaves," 16. However, Yaşa, "Fetva," 225 cites a *fetva* permitting a slave owner freely to sell his property, although the man had previously promised to liberate his slave by *tedbir*.

22 Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire: The Design of Difference* (New York: Cambridge University Press, 2010), 112–13.

23 Sahillioğlu, "Slaves," 120; Suraiya Faroqhi, "Manumission in Seventeenth-Century Suburban Istanbul," in *Mediterranean Slavery Revisited (500–1800): Neue Perspektiven auf mediterrane Sklaverei (500–1800)*, ed. Stefan Hanß and Juliane Schiel, with assistance from Claudia Schmid (Zurich: Chronos Verlag, 2014), 386–87.

24 Toledano, *Slave Trade*, 162–65.

trader would not have any interest in the future liberation of his/her slave. A similar situation resulted when a slave fell into the hands of the Ottoman sultan. The officials serving the latter could only liberate slaves according to certain pre-established criteria, for instance when a worker in the naval arsenal became too old to provide efficient service. However, many slaves did not survive long enough to fall into this category.[25] At least in the late 17th century, moreover, prisoners of war that fell to the share of the sultan were not eligible for ransom.[26] Manumission based on performance was thus uncommon, particularly since the Ottoman sultans differed from practice current in other Islamic societies by not liberating their servitors (*kul*), when the latter left the palace to become governors, viziers and other high dignitaries.

Classifying the Sultans' *Kul:* To What Extent Were 'Elite Slaves' Really Slaves?

However, it is debatable whether we should categorize the *kul* as slaves. When arguing in favour of a continuing slave status, one can point to the sultans' retaining the right to confiscate the properties of their *kul.* Once the traumatic process of confiscation had ended, those *kul* fortunate enough to escape with their lives might start accumulating money and goods all over again.[27] Even so, at their deaths, the sultan's treasury was sure to take over most of their inheritances. Moreover, the sultans could execute their *kul* without recourse to the judicial system, while—at least in theory—they could not treat their free subjects in this fashion. Given these disabilities, Madeline Zilfi has provided a cogent argument in favour of the slave status of the *kul.*[28]

Even so, these men had plenty of space for agency. Good performance as commanders and administrators, or dexterity in court service might help them rise to high positions, while a reputation for charity might gain them adherents among contemporaries and later generations. Furthermore, the pious foundations instituted by wealthy servitors of the sultans might provide positions to their descendants, who could earn respectable salaries as administrators of these institutions. Being a patron of poets and chronicle writers—or else disdaining the

25 Rinaldo Marmara, *İstanbul Deniz Zindanı 1740* (Istanbul: Denizler Kitabevi, 2005).

26 Suraiya Faroqhi, "A Prisoner of War Reports: The Camp and Household of Grand Vizier Kara Mustafa Paşa in an Eyewitness Account," in Faroqhi, *Another Mirror for Princes: The Public Image of the Sultans and its Reception* (Istanbul: The Isis Press, 2008), 207.

27 Amanda Phillips, "Ali Paşa and His Stuff: An Ottoman Household in Istanbul and Van," in *Living the Good Life: Consumption in the Qing and Ottoman Empires of the Eighteenth Century*, ed. Elif Akçetin and Suraiya Faroqhi (Leiden: Brill, 2017), 90–112.

28 Zilfi, *Women and Slavery,* 100–104.

company of literary men—was another personal decision that might have an impact on the reputation of a servitor of the sultan aka an elite slave. Presumably, the reputation of the five-time grand vizier Sinan Paşa (d. 1596) suffered from the fact that the well-known litterateur Mustafa 'Âlî (d.1600) cordially detested him.[29] We may have difficulty detecting the occasions for initiative available to many 'ordinary' slaves. By contrast, agency was a powerful factor when it came to determining the fates of the sultans' servitors, apart from good health and being in the right place at the right time. On the other hand, we can make a case against the slavery of the *kul* as well. After all, the sultans never sold their *kul*, nor did they give them away, while selling or gifting ordinary slaves was perfectly licit and widespread.

Furthermore, we need to focus on change over time, a procedure that blurs the contours even further. In the 15th century, war captives who were definitely slaves might enter the Ottoman palace and by that route, the military-administrative services of the empire. By the 1600s, on the other hand, the sultans' servitors rarely were former war captives or drafted village boys (*devşirme*). Rather, many high-level servitors came from grandee families with generations of service to the sultans behind them. Thus, the grandson of an Albanian *devşirme* became the overwhelmingly powerful Grand Vizier Köprülü Mehmed Pasha (d. 1661), who moreover persuaded the sultan to—in his exceptional case—accept the passage of the grand vizierate from father to son.[30] It is hard to imagine grandees such as Köprülü Mehmed Pasha or his son Fazıl Ahmed Pasha (d.1676) as 'slaves', in the manner of recruits to the Ottoman palace in the time of Mehmed the Conqueror (r. 1451–81).[31] In a similar vein, 17th-century irregular soldiers employed by the sultans' armies clamoured for acceptance into the corps of the sultan's *kul*, a demand hard to explain if in the view of contemporaries, they had sunk into slavery by doing so.[32]

As for the confiscation of inheritances, often referred to as a mark of slavery, by the 18th century, the situation was ambiguous as well. On the one hand, the

29 Cornell Fleischer, *Bureaucrat and Intellectual in the Ottoman Empire. The Historian Mustafâ 'Âli (1541–1600)*, (Princeton: Princeton University Press, 1986), 88–89.

30 M. Fatih Çalışır, "A Virtuous Grand Vizier: Politics and Patronage in the Ottoman Empire during the Grand Vizierate of Fazıl Ahmed Pasha (1661–1676)" (PhD diss., Georgetown University, 2016). https://repository.library.georgetown.edu/bitstream/handle/10822/1042898/Calisir_georgetown_0076D_13484.pdf?sequence=1 (accessed on 2 December 2018).

31 Even so, Kara Mustafa Paşa of Merzifon (d. 1683), a member of the Köprülü clan by marriage, after his defeats in Austria and Hungary refused the offer of his servitors to defend him against the sultan's officials that had come to Belgrade in order to execute him: Faroqhi, "A Prisoner of War Reports," 206.

32 Halil İnalcık, "Military and Fiscal Transformation in the Ottoman Empire 1600–1700," in İnalcık, *Studies in Ottoman Social and Economic History* (London. Variorum Reprints, 1985), no. V, 297–99.

numerous military men studied by Colette Establet and Jean-Paul Pasqual, who pursued their lives and careers in Damascus around 1700, were part of the sultan's *kul*, at least if belonging to the corps once sent to Syria by the central government, or else, if descended from these non-local military men. Certainly, one might argue about the *kul* status of the locally recruited soldiers, called *yerliye* or *yerliyya*. Whatever the situation, *kul* and non-*kul* passed on their estates to their heirs, and confiscations were apparently exceptional.[33] On the other hand, when the 18th-century Ottoman treasury was mostly empty due to a series of exhausting wars, people who were not the sultans' *kul* might well have their property confiscated too. Sometimes the assumption that a certain subject was wealthy seems to have sufficed as a justification. Property confiscations are therefore not a valid criterion when we try to determine whether a person was a slave or not.[34]

Given these uncertainties, the present author prefers to place the sultans' *kul* in a separate, intermediate category, which we may call 'the sultan's servitors' or (if pressed) 'elite slaves.' Where the 1600s and 1700s are at issue, we should certainly avoid amalgamating them with the slaves rowing the sultan's galleys or serving as menials in the households of well to do Ottoman subjects. In developing this categorization, the present author has drawn inspiration from work by Dror Ze'evi and Toledano. Ze'evi has pointed out that while 'in principle' Ottoman elite slaves were slaves, the households that raised them often accorded them the status of surrogate sons. Moreover, quite a few *kul* became so rich and powerful that their slave status had little practical meaning. Admittedly, in terms of mentality, the situation was different and the notion that the sultan's *kul*, even if freeborn, were his obedient 'slaves' remained powerful well into the 19th century.[35]

Furthermore, in an article on Ottoman slavery oriented toward comparison with studies of slavery worldwide, but with a special focus on the Americas, Toledano has suggested that when studying the Ottoman varieties of dependency,

33 Colette Establet and Jean Paul Pasqual, *La gent d'état dans la société ottomane damascène* (Damascus: Ifpo, 2011). This careful study of the men who governed Damascus around 1700 has very little to say about slavery of any kind. On the most recent study on this topic for the 16th century, see Linda T. Darling, *The Janissaries of Damascus in the Sixteenth Century, Or, How Conquering a Province Changed the Ottoman Empire*, OSMS 6, (Berlin: EB-Verlag, 2019).

34 Karl K. Barbir, "One Marker of Ottomanism: Confiscation of Ottoman Officials' Estates," in *Identity and Identity Formation in the Ottoman World: A Volume of Essays in Honor of Norman Itzkowitz*, ed. Baki Tezcan and Karl K. Barbir (Madison: The Center for Turkish Studies at the University of Wisconsin and The University of Wisconsin Press, 2007), 141–42.

35 Dror Ze'evi, "Kul and Getting Cooler: The Dissolution of Elite Collective Identity and the Formation of Official Nationalism in the Ottoman Empire." *Mediterranean Historical Review* 11 (1996): 177–95 and Ze'evi, "My Slave, my Son, my Lord: Family, Slavery and State in the Islamic Middle East," in *Slave Elites in the Middle East and Africa: A Comparative Study*, ed. Miura Toru and John Edward Philips (London Kegan Paul International, 2000), 71–80.

we should not adhere too closely to the legal dichotomy between slaves and free. Rather, this author proposes a broad spectrum, with high government officials that were *kul*, even if nominally slaves, close to one end of the scale, followed by harem ladies.[36] The latter, being female, had less status and agency than males, but in terms of power and life chances, they still stood far above the menials, who by the 1700s and 1800s were often female as well and suffered most of the legal disabilities and diminished life chances that we associate with slavery. Conceiving Ottoman slavery as a spectrum seems most appropriate for comprehending the situation of 'the sultans' servitors' or alternatively, 'elite slaves of the *kul-harem* variety.' For in this fashion, we make allowance for the status ambiguity of the *kul*, which Metin Kunt has expressed by the term 'the sultan's servants.'[37] For the present author as well, this indeterminate status is the key feature.

In the Mughal context, by contrast, the problem of classifying dignitaries as slave or non-slave did not exist, as the grandees serving the emperor were all free men, and the many slaves working in the palace had almost no chance of joining the administration, even after manumission.

Military Slavery

Well before the Mughal period, under the Delhi Sultanate, military slaves (*mamlūk*s) for centuries had been an important component of the ruling class. Given the loyalty of these men to their owners, a recently enthroned sultan might regard the *mamlūk*s of his deceased predecessor as a major threat that he attempted to eliminate, in extreme cases by poison.[38] Moreover, in 16th-century Peninsular India, military slavery was frequent as well, and this latter variety is the subject of our first attempt at comparison.

As for the Ottoman type of '*mamlūk*-dom:' apart from the sultans' servitors (aka elite slaves) previously discussed, *mamlūks* in the narrow sense of the term existed in the Ottoman centre but were most prominent in Egypt, with smaller contingents present in 18th-century Tunis and Baghdad. Between the mid-13th century and the Ottoman conquest of 1516–17, *mamlūk*s had in fact monopolized the government of Egypt and Syria, with the most powerful lord typically succeeding to the sultanate, in preference to the sons that the deceased sultan

36 Ehud R. Toledano, "The Concept of Slavery in Ottoman and Other Muslim Societies: Dichotomy or Continuum?," in *Slave Elites in the Middle East and Africa: A Comparative Study*, ed. Miura Toru and John Edward Philips (London: Kegan Paul International, 2000), 159–76.

37 Metin Kunt, *The Sultan's Servants: The Transformation of Ottoman Provincial Government, 1550–1650* (New York: Columbia University Press, 1983).

38 Sunil Kumar, *The Emergence of the Delhi Sultanate 1192–1286* (Ranikhet/India: Permanent Black, 2007), 307–8.

might have left as well.[39] In most cases, medieval *mamlūk*s came from the regions to the north of the Black Sea. Slave traders, among whom the Genoese were prominent, typically brought them into medieval Egypt. While Ottoman sources sometimes call these men *Çerakise*, thus referring to a presumed Circassian origin, the military ex-slaves governing Egypt and Syria were of mixed ethnicity, using Turkish as lingua franca while learning Arabic if inclined toward piety and study. Between 1250 and the late 1400s, the Egyptian *mamlūk*s were a formidable fighting force, who succeeded in keeping the armies of Genghis Khan and Tamerlane out of Egypt, although the latter did ravage Damascus and other Syrian cities.

However, in the later 16th and earlier 17th century, the Ottoman-Egyptian *mamlūk*s, now of a different composition and without any chance of ever becoming sultans, were no longer very powerful. After all, serious rebellions during the early years of Ottoman domination had convinced sultans Selim I (r. 1512–20) and Süleyman (r. 1520–66) that it would be dangerous to place much trust in the outward submission of these men. Therefore, the sultans abolished *mamlūk* recruitment for Syria although they retained it for Egypt. As a counterweight, the Ottoman regime introduced novel military corps (*ocak*) into the former Mamluk strongholds of Cairo, Damascus and Aleppo; however, these newcomers promoted by the Ottoman central power were likely to rebel as well.[40] Among the *ocak*s, the so-called *inkisari* (janissaries) occupied centre stage, making the Egyptian capital into what André Raymond has called *Le Caire des janissaires.*[41] It is noteworthy that Evliya Çelebi's (d. after 1683) lengthy description of Egypt in the 1670s and 1680s makes very little reference to the Mamluk presence. For this author, the term '*mamlūk*' quite often refers to 'ordinary' slaves, the military variety remaining in the background.[42]

However, in the late 1600s the *mamlūk*s gained a good deal of control, particularly as they succeeded in 'colonizing' the *ocak*. Using patronage networks in Cairo's barracks, they obtained positions in the very corps that the sultans had once instituted to control them. Rural tax collection became one of their specialties, and in the 1700s, the *mamlūk* lords often of Circassian background, began to reduce the sums of money (*irsaliye*) sent to Istanbul. By the end of the

39 Jane Hathaway, *The Arab Lands under Ottoman Rule 1516–1800*, with contributions by Karl K. Barbir (Harlow, U.K.: Pearson Longman, 2008), 36.

40 For this information and for her comments in general, I thank Jane Hathaway.

41 André Raymond, *Le Caire des janissaires : L'apogée de la ville ottomane sous Abd Al-Rahmân Katkhudâ* (Paris: CNRS Éditions, 1998).

42 Evliya Çelebi, b Derviş Mehemmed Zılli, *Evliya Çelebi Seyahatnâmesi, İstanbul Üniversitesi Kütüphanesi Türkçe Yazmalar 5973, Süleymaniye Kütüphanesi Pertev Paşa 462, Süleymaniye Kütüphanesi Hacı Beşir Ağa 452 Numaralı Yazmaların Mukayeseli Transkripsyonu, Dizini*, vol. 10, ed. Seyit Ali Kahraman, Yücel Dağlı, and Robert Dankoff (Istanbul: Yapı Kredi Yayınları, 2007), compare the index on 597.

18th century, they were both fighting each other and attempting to reduce their subjection to the sultan.[43] In this context, they cut down the subsidies paid to the Bedouin living near the haj routes, exposing the pilgrims to dangerous attacks.[44] Thus, the *mamlūk*s of the Ottoman period were different enough from their medieval predecessors for Jane Hathaway to stress that the resulting socio-political system was a formation *sui generis*, rather than a prolongation of the medieval system of rule.[45]

In both the medieval and the Ottoman contexts the men who had been the property of the same master often formed associations, the so-called 'houses.' The latter competed for tax revenues and in the late 1700s, this competition turned into a series of fully-fledged civil wars. Ruthless exploitation by the leading *mamlūk*s affected the productivity of the taxpaying population: as disposable income became scarce, the market for high-value goods contracted, putting many artisans out of work.

In 18th-century Baghdad, we encounter another variant of military slavery; in this setup, powerful leaders, who in contrast to Egyptian practice could become governors or pashas, often chose their successors. Sometimes, the dominant *mamlūk* lord and current pasha married his daughter to his successor *in spe*, an arrangement that permitted certain women to become power brokers in their own right and perpetuate their names through pious foundations.[46]

As noted, in India *mamlūk*s appeared with the Delhi Sultanate in the twelfth century, when the rulers accumulated numbers of armed servitors. Often Turks from Central Asia these men were the ruler's principal support, while the *mamlūk*s of the previous sultan were a—real or supposed—threat to the authority of the current monarch.[47] Perhaps this situation explains why the sultans of this period, whose capital was in the Delhi area, 'moved house' quite often, usually to nearby locations in what is today the southern part of the modern metropolis. Occasionally, however, the rulers transferred their residences to much more distant sites in the Deccan.[48] By setting up a strongly fortified new

43 Stanford J. Shaw, *The Financial and Administrative Organization and Development of Ottoman Egypt 1517–1798* (Princeton: Princeton University Press, 1962), 298–99.

44 Shaw, *Ottoman Egypt*, 249.

45 Jane Hathaway, *The Politics of Households in Ottoman Egypt: The Rise of the Qazdaglis* (Cambridge: *Cambridge* University Press, 1997), 13–15.

46 Thomas Lier, *Haushalte und Haushaltspolitik in Baghdad 1704–1831* (Würzburg: Ergon Verlag, 2004), 75–80.

47 Kumar, *The Emergence*, 78–79.

48 Pius Malekandathil, "Spatial Articulations of a Power Centre: A Study of the Medieval City of Delhi, 1206–1506," in *Cities in Medieval India*, ed. Yogesh Sharma and Pius Malekandathil (Delhi: Primus Books, 2014), 135–56; Richard Eaton, *A Social History of the Deccan 1300–1761* (Cambridge: Cambridge University Press, 2005), 63.

capital, whose garrison he had himself selected, the new sultan apparently tried to keep the former military slaves of his predecessor at a safe distance.

By contrast, the Mughals used only a small number of military slaves.[49] Some of the few *mamlūk*s on record had served in the armies of southern India and accepted Mughal service after the imperial campaigns in Gujarat and the Deccan, but the emperors did not trust their loyalty and usually assigned them only minor offices. Some sub-Mughal princes employed military slaves as well. However, present or former slave status apparently had a negative impact on the social position of a Mughal officer.

More important to imperial commanders were the contingents of peasants recruited from certain regions of western India, which were too drought-prone for people to stake their livelihoods on their fields and cattle alone.[50] Other soldiers were immigrants from Iran and Central Asia, who must have heard of the wealth of the Mughal elite and hoped to share in their bounty. Newcomers of this type normally came to South Asia as the freeborn followers of a man with claims to military leadership, and they served as cavalry soldiers.

In the period concerning us here, military slavery had thus largely, though not totally, disappeared from northern India; and mainly the Deccan sultanates of Bijapur, Bidar, Berar, Golkonda, and Ahmadnagar continued to practice it. Into these latter regions, slave traders imported large numbers of African slaves. Some of these men received military training and afterward, their owners might manumit them, although formal manumission was not a stringent requirement, as it was in medieval and Ottoman Egypt. Both Richard Eaton and Omar H. Ali have reconstructed, as far as possible, the career of the most famous personage emerging from this milieu, known as Malik ʿAmbār after his enslavement and Islamization (ca 1548–1626). Originating from the ethnic community of the Oromo in Ethiopia, this man had been the property of a Muslim who spent time in the Arab lands. Several times, Malik ʿAmbār changed hands, moving to South Asia in the process, until the widow of his last owner finally gave him his freedom. Malik ʿAmbār began his independent career as a simple soldier of fortune, who gradually managed to climb 'the ladder of success' commanding ever larger contingents.[51] As the de facto ruler of Bijapur, who made and unmade sultans, he prevented the Mughal conquest of the Deccan for several decades and thereby became a veritable obsession for the emperor Jahāngīr (r. 1605–27).

49 Shadab Bano, "Military Slaves in Mughal India," in *Proceedings of the Indian History Congress, 67th Session Calicut 2006–2007* (Delhi: Indian History Congress, 2007), 350–57. I cordially thank the author for sharing her work.

50 Jos Gommans, *Mughal Warfare: Indian Frontiers and High Roads to Empire, 1500–1700* (London: Routledge 2002), 11–14, 67–81.

51 I have borrowed this term from Ping-ti Ho, *The Ladder of Success in Imperial China: Aspects of Social Mobility, 1368–1911* (New York: Columbia University Press, 1962).

As a piece of 'war propaganda,' Jahāngīr commissioned some remarkable miniatures, one of which showed the African commander's head impaled on a lance topped by an owl, which the Mughal court considered an inauspicious beast.[52] As for the emperor, he adopted a victorious pose connecting him to cosmological symbols. Standing on a fish, a steer and a globe, the latter ornamented by further animals, Jahāngīr appeared as an otherworldly figure, shooting at the head of his enemy with a golden bow and arrow. To my knowledge, the Mughals never accorded any other of their numerous enemies a position of similar prominence.

Known as Habshis, after the region of Habeshistan (Abyssinia) where many of them had originated, the African *mamlūk*s fighting in southern India seem to have never developed cohesive military corps of the type observed in Ottoman Cairo or Sultanate Delhi, with patronage relations established in military barracks or royal palaces. If the biography of Malik 'Ambār is at all indicative, a military slave/freedman, once his owner had died, was 'on his own.' Operating as mercenaries to a variety of sultans, such commanders owed their fortunes to success in war, avoiding pitched battles with the superior armies of the Mughal emperors and specializing in guerrilla warfare. A commander, such as Malik 'Ambār, might stabilize his power and eminence by marrying his children into the sultanate families that (really or supposedly) governed the Deccan.[53] Former African slaves who did not reach positions of such eminence settled in Peninsular India, where they controlled important fortresses on the western coast and became known as Sidis.

Unfortunately, the narrative sources, which alone record the activities of Malik 'Ambār, probably obscure some of the arrangements on which this eminent leader relied when cementing his power. To the historian, the absence of archives is a serious limitation, for which in the case of the Delhi Sultanate, Sunil Kumar has compensated by carefully reading the chronicles 'against the grain' and thereby establishing how a given sultan organized and re-organized the military slaves on whom his power largely depended. While many procedures documented in the Ottoman archives are impossible to recover in the South Asian case, presumably the preponderance of casual references to this or that military leader points to a loose organization of Habeshi soldiers, different from the tightly organized corps typical of medieval Egypt.

52 Elaine Wright ed., *Muraqqa': Imperial Mughal Albums from the Chester Beatty Library Dublin* (Alexandria, Virginia: Art Services International, 2009), 344–45.

53 Omar Ali, *Malik Ambar: Power and Slavery across the Indian Ocean* (Oxford: Oxford University Press, 2016), 63.

Female Slaves, Within and Without the Imperial Ottoman Harem

Despite its importance in specific settings, military slavery was an exceptional case. Rather, in South Asia as in the Ottoman Empire, most slaves worked as household servants and if females, they might be the concubines of their masters. We cannot establish the number of concubines in Ottoman elite harems at any given time; but probably quite a few female ex-slaves, who later married into a well to do household, had backgrounds of this type.[54] Some liberated slave women might even accumulate enough property to make the pilgrimage to Mecca and/or establish a small pious foundation. Thus, some ex-owners must have provided well for their former servants, sometimes by marrying them into rich households.

However, if in 17th-century Gujarat a young slave woman became the concubine of a Muslim, she might soon find herself back on the market. For a set of marriage contracts from this region studied by Shireen Moosvi and Farhat Hasan, gave the lawfully wedded wife the right to sell or give away her husband's concubine if she could not persuade him to get rid of her.[55] If the wife sold the slave, the price counted as part of her dower (*mihr*). As this stipulation recurs in several contracts, we may assume that in wealthy Gujarati households, monogamy was the norm that the fathers of marriageable girls might impose on potential sons-in-law. In the Ottoman world by contrast, women did not have any rights of this type, although as Lady Mary Montagu noted in the early 1700s the elite women that she knew made every effort to oblige their husbands to live in monogamous marriages.[56]

Both the Ottoman and the Mughal palaces employed large numbers of female slaves. Ever since the fundamental work of Leslie Peirce first published in 1993, we know that the sultans' harem had an intricate hierarchy. Rising on 'the ladder of success', which culminated in becoming the mother of the reigning sultan (*valide sultan*) and thereby the head of the harem, meant that the young slave women in question could not just rely on their beauty, important though that might be. Transplanted into an unfamiliar environment, upwardly mobile female slaves had to learn the skills that might net them recognition and esteem, and do

54 Suraiya Faroqhi, "From the Slave Market to Arafat: Biographies of Bursa Women in the Late Fifteenth Century" *Turkish Studies Association Bulletin* 24 (2000): 3–20. Mehmet Canatar has published a list of women, who had established pious foundations in Istanbul before and in 1600. See Mehmet Canatar, *İstanbul'un 550. Fetih Yılı için İstanbul Vakıfları Tahrîr Defteri 1009 (1600) Târîhli* (Istanbul: İstanbul Fetih Cemiyeti, 2004), xxxiii–xl.

55 Moosvi, "Travails," 278; Farhat Hasan, *State and Locality in Mughal India: Power Relations in Western India, C.1572–1730* (Cambridge: CUP, 2004), 80–82.

56 Lady Mary Wortley Montagu, *The Turkish Embassy Letters*, ed. Anita Desai and Malcolm Jack (London: Virago, 1994), 24.

that as quickly as possible. In that sense, the sultans' harem was a parallel to the Enderun or male section of the Palace, where in the late 1400s and throughout the 16th century, future governors and commanders received their training.[57]

Where the practice of Ottoman sultans is at issue, we know that around the year 1600, it was customary to manumit and marry off young women who had served in the palace without attracting the attentions of the sultan. The former page Gutierre Pantoja, a Spaniard by birth and later a figure of some importance in the mid-17th century Ottoman navy, has left an account of the proceedings.[58] After completing his palace training, he seemingly received an order to marry a certain Alime, a former palace slave of probable Russian or Ukrainian antecedents. However, being a freedwoman after her liberation from the sultan's service, the bride no longer had access to the palace. Therefore, the princess whom she had previously served arranged for the use of a house in town belonging to a certain Ahmed Pasha that briefly became the 'residence' of the bride and thus a centre of the wedding festivity. We do not know whether the princess fulfilled her responsibilities as a patron in other matters as well, such as giving the bride some money or goods needed in her future home. Nor does Gutierre Pantoja record how he negotiated the dower of 6,000 ducats that he had to pay his bride as the precondition of a valid marriage, or whether the princess unilaterally determined the amount payable. Most importantly for our purposes, Gutierre makes it clear that Alime married him as a freedwoman while as noted the sultans never manumitted their male 'elite slaves.' Thus, Ottoman courtly practice resulted in the otherwise anomalous situation of a free woman married to an—admittedly elite—slave.

Where the 18th century is at issue, we have more information, as by this time, the Ottoman palace kept track of the former female slaves formerly serving in the imperial harem.[59] Perhaps among other purposes, these records served as the basis for invitations to court festivities: for at least by the later 1800s the musician and poet Leyla Hanım (aka Leyla Saz, 1850–1936), who had been the freeborn companion of a young princess, continued to receive such invitations long after her stint in the palace had ended.[60] As Betül İpşirli Argıt has shown in her extremely thorough and informative study, in the 18th century too former palace

57 Leslie Peirce, *The Imperial Harem* (Oxford: Oxford University Press), 119–49.

58 Bennassar and Bennassar, *Les Chrétiens d'Allah*, 133–34; Raoul Motika, "Bezüglich des Buches von Lucile und Bartolomé Bennassar, *Les Chrétiens d'Allah: l'histoire extraordinaire des rénégats, XVI^e–XVII^e siècles,*" *Turcica* 25 (1993):189–204.

59 Betül İpşirli Argıt, *Hayatlarının Çeşitli Safhalarında Harem-i Hümayun Cariyeleri: 18. Yüzyıl* (Istanbul: Kitap Yayınevi, 2017). All information about the imperial harem of the 1700s comes from the work of this author.

60 Leyla Saz, *The Imperial Harem of the Sultans: Daily Life at the Çırağan Palace during the 19th Century: Memoirs of Leyla (Saz) Hanımefendi* (Istanbul: Peva Publications, 1994), 147–57.

inmates were freedwomen and appear as such in Ottoman documents, officials calling them *çırağ*s of the imperial harem. However, there were no manumission ceremonies or at least none that officialdom considered worthy of record.

Sometimes the sultans' harem contained a sizeable number of women who were the slaves not of the sultan but of high dignitaries including the Chief of the Black Eunuchs. However, after 1648, when Mehmed IV had come to the throne as a young child, his grandmother Kösem Sultan preferred to have no slaves belonging to the Chief Black Eunuchs housed in the imperial harem, apparently because she wanted to limit the power of these dignitaries. While she had some of the women manumitted, she simply sent the others to the city's slave market. However, it was not easy to break the power of the Chief Black Eunuch, and in the mid-1700s, the current holder of this office known as Moralı Beşir Ağa even ensured that a former slave of his became grand vizier.[61]

In addition to manumissions of former palace inmates, we find 17th-century records concerning the liberation of another type of female slaves. These women had served princesses living in the mansions, which these royals occupied together with their husbands somewhere in the city of Istanbul.[62] Presumably, such manumissions needed a document from the qadi, because the slaves in question, who had exited the palace perhaps a long time ago, were no longer the responsibility of the Chief Black Eunuch, who oversaw all matters concerning the imperial harem. As for the slave owner that interests us here, named Fahri Sultan, she was apparently a daughter of Murad III (r. 1574–95) and therefore quite elderly in the 1660s. Due to her marriage, Fahri Sultan too was no longer a member of the imperial harem.

We do not know who selected the female slaves, who left the palace not to start a new life as freedwomen, but to continue working as the slaves of a princess, in a mansion by the Bosporus or in central Istanbul. Nor can we even guess at the thoughts and feelings of the women at issue. Were there perhaps rumours about the benevolence or otherwise of a given female royal? After all, the latter could sell her slaves when she needed money, a situation in which princesses often found themselves. Alternatively, she might manumit her slaves when she felt that death was approaching, or else she might do nothing and expect the chief eunuch to determine the fates of the slaves that she would leave behind. For the women concerned, these were life-changing decisions on which they had little or no influence. In any case, as İpşirli Argıt has found, female members of the harem often achieved their freedom only at a late stage of their lives, for otherwise it is hard to explain, why so many former palace slave women (*çırağ*s), while married,

61 İpşirli Argıt, *Harem-i Hümayun*, 97–98, 161–62.

62 *İstanbul Kadı Sicilleri Eyüb Mahkemesi (Havass-ı Refîa 74 Numaralı Sicil (H. 1072–1073/m. 1661–62)*, ed. M. Akif Aydın et al. (Istanbul: İSAM, 2011), 166–67.

had no children or at the most a single child.[63] This fact is noteworthy, as Lady Mary Montagu has recorded that among her elite friends, it was fashionable to be pregnant because in this manner, women could prove that they were not too old for childbearing.[64] Seemingly, the sultans' harem accorded many slave women their freedom only when they approached what by the standards of the time, was middle age.

If slave women were especially unfortunate, they might end their physical lives by a mere decision of the palace administration. Such executions took place without trial, usually by drowning. In some cases, the women at issue had supposedly indulged in magic, which the Ottoman administration considered a crime. In other instances, the reason remains unclear. In an extreme case from the early 19th century, Alemdar Mustafa Pasha when becoming grand vizier, supposedly had one hundred slave women from the harem of the defunct sultan Mustafa IV (r. 1807–8) drowned by throwing them into the sea. However, as there is only a single source referencing this event, it is best to wait for confirmatory evidence.[65] Whatever the truth of the matter, palace women shared the risk of execution without trial with their counterparts in the male section of the palace, for as noted, the sultan could kill his grandees without referring their cases to the qadi.

Female Slaves in Indian Empires and Principalities

In the absence of archives, what we know about slave women in South Asia comes from palace chronicles and from the accounts of a few travellers who became close to the Mughal or some other princely court, as jewel merchants and (real or alleged) doctors. Fortunately, some images are available, as South Asian courts had both royal women and entertainers depicted with some frequency. In certain places, there were even female artists who drew the portraits of highly placed women.[66] We can therefore assume that when depicting the clothes and gestures of these persons the artists knew what was appropriate in an upper-class harem. Thus, they did not need to rely on the figure types and poses they had learned when training in the workshops of their masters, as seemingly might happen when European artists in Istanbul obtained access to clothes worn by palace ladies, which they had never seen in their proper contexts. Even so, it is better to

63 İpşirli Argıt, *Harem-i Hümayun*, 101–2.

64 Montagu, *Letters*, 107. When visiting Istanbul and Edirne, Mary Montagu was in her later twenties.

65 İpşirli Argıt, *Harem-i Hümayun*, 99.

66 Anjan Chakraverty, *Indian Miniature Painting* (Delhi: India Crest, Lustre Press, Roli Books, 2008), 30. Most pages in this book carry no numbers.

avoid excessive optimism: for probably in the Indian context too, genre and workshop conventions determined whether certain people and poses should appear in a luxury book or album, and which figures had better remain in the shadows.

These considerations are especially important when we keep in mind that at South Asian courts, entertainment provided by young female singers and dancers had a higher value than comparable activities at the Ottoman court. Certainly, in Bursa around 1500, a sizeable number of singers were available to rich purchasers, and high-ranking Ottoman women of the years around 1700 might surround themselves with slave girls, whom they trained in singing and dancing.[67] Two miniatures from the early 1700s show an upper-class woman enjoying a picnic, while listening to female musicians who were probably her slaves.[68] However, the names of such artists almost never made it into the record, while the opposite was often true in South Asia.

Admittedly, some Mughal elite figures had hesitations where dancing was at issue, as they felt that watching dancers was a sensuous enjoyment close to sexual encounter; and after all, some dancers might be prostitutes as well.[69] However, at least during the early part of the reign of Aurangzeb (r. 1658–1707) otherwise known for his strict adherence to Islamic precepts dancers enlivened court receptions.[70] Certainly, the emperor had decreed that the dances must take place in the background and continue only for a short time, but when still a young ruler he did not altogether remove the dancers from his court.[71] Moreover, if not present in person, dancers might enliven court ceremonies at least in the shape of images. Miniatures painted around 1600 depict dancers and musicians, for instance, as ornamenting the carpet on which a court ceremony took place.[72] Apparently, these figures differed from Ottoman dancers in that they were actually girls, rather than young boys dressed up as females, as was Ottoman practice whenever celebrations took place outside of the harem. Furthermore, Mughal princes of the imperial dynasty might be close to well-known dancers, and while some contemporaries stridently disapproved, others did not consider

67 Sahillioğlu, "Slaves," 155; Montagu, *Letters*, 90.

68 Filiz Çağman, *Osmanlı Sarayı Tasvir Sanatı* (Istanbul: MASA, 2016), 116–18.

69 Shadab Bano, "Women Performers," Karuna Sharma, "The Social World of Prostitutes and *Devadasis:* A Study of the Social Structure and its Politics in Early Modern India," *Journal of International Women's Studies*, 9 (2007): 297–310. I thank Shadab Bano for sending not only her own articles but the study by Karuna Sharma as well.

70 For an example compare Gian Carlo Calza ed., *Akbar: The Great Emperor of India* (Rome: Fondazione Roma Museo and Skira, 2012) No. 1, 15, miniature dated to the late 1500s.

71 Shadab Bano, "Women Performers," 50, where the author stresses Aurangzeb's disapproval of dancers as well.

72 J. Michael Rogers, *Mughal Miniatures* (London: The British Museum Press, 1993), 92 shows the weighing of a prince in the presence of his imperial father.

such liaisons as particularly scandalous. Thus, apart from the later years of Aurangzeb's reign, the presentations of female dancers and singers were an integral part of Mughal court life.[73]

At both the Ottoman and the Mughal courts, music counted as a more 'respectable' activity than dance did: In the Mughal ambiance, even persons who defined themselves as strict Muslims willingly tolerated musical performances. While music in Sufi contexts seemingly encountered little opposition, female singers apparently practiced their art mainly in the contested world of the palace. Moreover, they were probably of lower status than their male counterparts were. For while Abū'l-Faẓl listed the names of the people he considered the most eminent representatives of their profession, he did not include any women musicians.[74] On the other hand, poetry may have provided a wider space for recognition to the educated slave woman: Karuna Sharma has pointed out that in the highly cultured atmosphere of 18th-century Delhi, courtesans that must often have been slaves, began to circulate their poems and gain recognition for their skills. At a slightly later stage, women who were not courtesans followed suit, and the female poet became a recognized feature of the Delhi scene.[75]

However, a large number, probably the vast majority, of slave women employed in wealthy households did not possess any special qualifications and laboured as kitchen helpers, washerwomen and cleaners. Evidence is scanty; in particular, we know nothing about the older women, who were no longer desirable as concubines. These unfortunate people must have flooded the slave markets after major campaigns. When exceptionally, such ordinary female slaves appear in the sources, the reason is usually some dramatic event. The Indian cases at issue date to the 1830s and thus to the final years of the period treated here; they deserve attention because they make the historian wonder what may have happened in earlier and even less documented periods.

In certain cases, we may even question the relevance of the notion of 'agency', for enslaved women sometimes turned into mere helpless victims. A certain court faction might use them as pawns and later on, the slaves might suffer dire punishment for a crime that their owners or superiors had ordered them to commit.[76] Even worse, when at the funeral of the Sikh prince Ranjit Singh in 1839, several of his queens mounted the funeral pyre together with their dead spouse, the court officials killed several slave girls as well, covering them with an oil-

73 Ruby Lal, *Empress: The Astonishing Reign of Nur Jahan* (New York: W. W. Norton & Company, 2018).
74 Shadab Bano, "Women Performers," 47.
75 Shadab Bano, "Women Performers," 52–53.
76 Anita Anand and William Dalrymple, *Koh-i-Noor: The History of the World's Most Infamous Diamond* (London: Bloomsbury, 2017), 166–67.

soaked blanket and setting them on fire.[77] We can only hope that this event, if indeed it occurred as described, remained unique.

Thus, even when we focus on slave agency, and therefore, privilege records in which it appears, we need to remember that numbers of slaves, especially if female, could show agency only within narrow limits. As Fırat Yaşa has shown, according to some 16th- to 18th-century Ottoman *fetva*s, under certain circumstances a slave owner killing his/her slave was not to suffer any punishment in this world—the mufti only allowed that there would be scores to settle in the next one.[78] A slave owner who made it clear that he/she might avail him/herself of this prerogative left his/her slaves little room for manoeuvre.

The Ambiguous Positions of Eunuchs

At the Ottoman court, eunuchs guarded the threshold of the male section of the Palace. Some of these men, the so-called white eunuchs, came from the Mediterranean world in the wider sense of the term, including the territories to the north of the Black Sea. On occasion, we find Venetians and other inhabitants of Mediterranean coastlands as well.[79] Moreover, from the late 16th century onward, the sultans had their harem guarded by a company of eunuchs of African descent, headed by a dignitary known as the Chief Black Eunuch (*darüssa'ade ağası*).

Apparently, to institute a counterweight to the powerful households of certain viziers, especially the Sokollus, Sultan Murad III assigned the *darüsse'ade ağası*, who after all could not have any sons, significant responsibilities beyond the harem walls. From the late 1500s onward, the chief black eunuch became the senior superintendent of all pious foundations instituted by past and present sultans as well as their families. This duty gave the *darüsse'ade ağası* a great deal of power. For over the centuries, Ottoman sultans, queen mothers, princes and princesses had instituted numerous pious foundations including mosques, madrasas, and public kitchens, financed mostly by the peasant dues that the ruler had allowed his relatives to assign to these charities. Furthermore, in the towns

77 Anand and Dalrymple, *Koh-i-Noor*, 142–43. The source for this story is John Martin Honigberger, a young medical man originally from the Habsburg Empire, who had served as a doctor to Ranjit Singh. Honigberger stated that he had attended the funeral.

78 Yaşa, "Fetva," 222. However, Ebusuud (1490–1574) considered that owners who killed their slaves out of a whim deserved punishment.

79 On Gazanfer Ağa, Venetian by origin and patron of an Istanbul madrasa and several illustrated manuscripts, there is now an abundant secondary literature. In particular, see: Maria Pia Pedani, "Venetian Slaves in the Ottoman Empire in the Early Modern Period," in *Mediterranean Slavery Revisited (500–1800): Neue Perspektiven auf mediterrane Sklaverei (500–1800)*, ed. Stefan Hanß and Juliane Schiel, with assistance from Claudia Schmid (Zurich: Chronos Verlag, 2014) 309–24.

and cities of the Ottoman realm, covered markets, streets lined with shops and public bathhouses provided rental income to the sultans' pious foundations.

Overseeing the personnel in charge of these establishments, and in particular preventing malfeasance when disbursing the enormous sums of money involved, the chief black eunuch could exercise significant patronage.[80] In the 17th century, a religious scholar of African descent, who had originally been a slave and enjoyed the protection of the current *darüsse'ade ağası*, rose to become an 'army judge' (*kadıasker*).[81] In the judicial bureaucracy of the time, this office ranked second only to that of the *şeyhülislam*, who headed the entire hierarchy of Ottoman judges and madrasa professors. Thus, court eunuchs, though legally remaining slaves might influence appointments even among the free servitors of the sultan.[82]

Apart from court officials, in the 1400s and 1500s the administrative and military servitors of the sultans included a number of eunuchs as well, especially the commander of Sultan Süleyman's campaign in the Indian Ocean, named Süleyman like his monarch.[83] However, eunuchs serving outside the Palace became a rarity after about 1600, apart from the guardianship of the tomb of the Prophet Muhammad in Medina, to which the sultans often appointed retired chief black eunuchs.[84] This practice is reminiscent of the medieval custom of having the Prophet's grave guarded by Indian eunuchs, whom the Mamluk sultans of Egypt often placed in this position alongside Anatolian (Rumi) and African eunuchs.[85]

80 For an influential eunuch of the 18th century, compare Jane Hathaway, *Beshir Agha: Chief Eunuch of the Ottoman Imperial Harem* (Oxford: Oneworld Publications, 2006). Perhaps the administrative functions of the Chief Black Eunuch explain why in the 1700s, he maintained a house in the city apart from his quarters in the palace: Yıldız Yılmaz, "Cutting a Fine Figure among Pots and Pans: Aghas of the Sultan's Harem in the Eighteenth Century," in *Living the Good Life: Consumption in the Qing and Ottoman Empires of the Eighteenth Century*, ed. Elif Akçetin and Suraiya Faroqhi (Leiden: Brill, 2017), 113–33. This was true of Habeshi Mehmed Agha, the first Chief Eunuch, as well; see Jane Hathaway, *The Chief Harem Eunuch of the Ottoman Empire: Head of the African Eunuchs in the Sultan's Palace* (Cambridge, New York: Cambridge University Press, 2018), Ch. 4.

81 Baki Tezcan, "*Dispelling the Darkness:* The Politics of 'Race' in the Early Seventeenth-Century Ottoman Empire in the Light of the Life and Work of Mullah Ali," in *Identity and Identity Formation in the Ottoman World: A Volume of Essays in Honor of Norman Itzkowitz*, ed. Baki Tezcan and Karl K. Barbir (Madison, Wisconsin: The Center for Turkish Studies at the University of Wisconsin and The University of Wisconsin Press, 2007), 73–96.

82 Evliya Çelebi, *Seyahatname*, vol. 10, 178 claims that the sultans manumitted their chief eunuchs before retiring them to Egypt with opulent pensions.

83 Giancarlo Casale, *The Ottoman Age of Exploration* (London: Oxford University Press, 2010), 43, 53–54.

84 Hathaway, *Beshir Agha*, 51–58.

85 Shaun Elizabeth Marmon, *Eunuchs and Sacred Boundaries in Islamic Societies* (London: Oxford University Press, 1995). My heartfelt thanks go to Jane Hathaway for pointing out this reference.

In the Mughal palace, eunuchs appeared for the first time in the reign of Akbar (r. 1556–1605), as at the peripatetic courts of Bābur (r. 1526–30), and Humāyūn (r. 1530–40, 1555–56) royal women mixed quite freely with male members of the court and there was thus little need for eunuchs. However, in the chronicle of Gulbadan Begam, a single court eunuch does appear, coincidentally named 'Ambār but a different person from Jahāngīr's archenemy.[86] Of an older generation, this personage was part of Humāyūn's court, but his job was not limited to guarding the harem, even though on occasion he undertook this responsibility. In the early years of Akbar's reign too, eunuchs appeared as guards of the imperial palace, including the person of the emperor, with some of them enjoying the monarch's special trust. When discussing the—often problematic—accounts of the imperial treasury, Akbar's confidant and chronicler Abū'l-Faẓl (1551–1602) noted that the young ruler "entrusted his inmost secrets" to a eunuch named Phūl Malik, whose name makes it likely that he was of Indian descent.[87] Akbar made him into the chief eunuch and accorded him a title indicating the confidence placed in this courtier, now known as I'timād Khān. This person apparently had enough experience in treasury affairs to advise the monarch, and Abū'l-Faẓl thought that the advice given by I'timād Khān was very useful. Later in life, the latter played a role in the conquest of Bengal and ended his life as a provincial governor.

This career indicates that the eunuchs of Akbar's court might receive appointments outside of the imperial palace, as had happened in the 16th-century Ottoman Empire as well. In both cases, the fact that a eunuch could not have descendants made the relevant monarch view him as less inclined to siphon off state revenues for his own use, than would have been true of other high dignitaries. In the late 17th century, Mughal court eunuchs seem to have administered the properties of members of the imperial family, a practice that again reminds us of the supervision over sultanic pious foundations by the Chief Black Eunuch of the Ottoman palace.[88]

At Akbar's court, eunuchs could amass considerable wealth and act as patrons of public buildings, once again bringing to mind the activities of some of their Ottoman counterparts. At the same time, the Mughal palace of the last quarter of the 16th century gradually developed a special type of protocol, which excluded eunuchs from the premises of the by now fully-fledged imperial harem. Appa-

86 Gavin Hambly, "A Note on the Trade in Eunuchs in Mughal Bengal," *Journal of the American Oriental Society* 94 (1974): 125–30; Shadab Bano, "Eunuchs in Mughal Royal and Aristocratic Establishments," *Proceedings of the Indian History Congress*, Kolkata (2009): 417–27.

87 Abū'l-fazl, *ʿAin-i Akbarī of Abul-Fazl-i ʿĀllamī*, 3 vols., trans. H. Blochmann. D. C. Phillot, H. S. Jarrett and rev. Jadunath Sarkar, vol. 1 (Calcutta: Royal Asiatic Society of Bengal, 1927–49, reprint Delhi: Atlantic Publishers and Distributors, 1989), 13.

88 Shadab Bano, "Eunuchs," 420, 423.

rently, the emperor and high court officials were never quite sure whether they should regard eunuchs as sexless individuals or else as (albeit impaired) males. The eunuchs now merely guarded the entrances to the harem, while women served the resident wives and concubines, and there was even an interior guard consisting of robust Central Asian women. Apparently, at one time in his life Jahāngīr proposed to abolish the employment of eunuchs; but Shadab Bano thinks that this edict was probably unenforceable given the numerous eunuchs present in the palaces of the great nobles of the empire.[89]

While there is some evidence on the castration of African boys sold as eunuchs in the Ottoman Empire, including the account by Evliya Çelebi, we know very little about the castration of eunuchs serving in the courts of South Asia.[90] Similar to the extremely dangerous operation, late in life, of Gazanfer Ağa, who had accepted castration in order to remain close to the Ottoman sultan, we encounter an Indian noble who consented to this fate for similar reasons.[91] However, most court eunuchs had suffered castration by Indian slave traders without anybody asking for their opinion, and they were not from distant lands but from within the subcontinent, with Bengal and Malabar most often named as homelands.[92]

In certain respects, we may compare the eunuchs at the Mughal court to the white eunuchs who in Istanbul controlled access to the Topkapı Palace.[93] Shadab Bano emphasizes that Indian eunuchs never obtained the corporate power and organization enjoyed by their counterparts at the Safavid court. That said the limits of the available documentation leave us with many unanswered questions. If we can trust the record that a certain Indian noble owned over a thousand eunuchs, his household must have possessed an elaborate organization, probably with a special section comprising merely the eunuchs. However, apparently, we do not know who handled the purchase of these people, set up the rules they needed to follow, and perhaps provided for their retirement in old age. Nor is there much information on who suggested the honorific titles that the emperor might award to the eunuchs of his palace. On the other hand, some information on these issues is available in the Ottoman archives, studied by Hathaway in her recent monograph on the subject.[94] As a result, Ottoman court eunuchs seem to

89 Shadab Bano, "Eunuchs," 423.

90 Otto Meinardus, "The Upper Egyptian Practice of the Making of Eunuchs in the XVIII. and XIX. Century (sic)," *Zeitschrift für Ethnologie* 94 (1969): 47–58; Evliya Çelebi, *Seyahatname*, vol. 10, 205.

91 Shadab Bano, "Eunuchs," 420.

92 Shadab Bano, "Slave Acquisition," 320.

93 Metin Kunt, "Ottoman White Eunuchs as Palace Officials and Statesmen," in *Mediterranean Slavery Revisited (500–1800): Neue Perspektiven auf mediterrane Sklaverei (500–1800)*, ed. Stefan Hanß and Juliane Schiel, with assistance from Claudia Schmid (Zurich: Chronos Verlag, 2014), 325–36.

94 Hathaway, *Chief Harem Eunuch*.

have had some space for agency, but the limits of the South Asian documentation make it impossible to decide whether Indian eunuchs had more or less room for manoeuvre than their Ottoman counterparts did. After all, Hathaway has written both a biography of an Ottoman chief eunuch and a monograph on the workings of the relevant institution, an undertaking that the surviving documentation on South Asia apparently does not permit.[95]

A Provisional Conclusion

What are the results of this study that may interest future scholars? Firstly, we repeat a time-honoured demand, asking for more empirical research than is available to date, especially where South Asian varieties of slavery are concerned. Suggestions from an outsider are probably of limited value. Even so, it seems that scanning the sources in various Indian languages made available by Jadunath Sarkar (d.1958), Govind Sakharam *Sardesai* (d.1959) and others will probably produce a certain number of references to palace women both slave and free, as well as the eunuchs that guarded monarchs and their female family members.[96] Moreover, the princely archives in Jaipur and Jodhpur may well contain information on local palace women, among whom once again, there must have been some slaves. Perhaps studies in Indian languages exist that remain inaccessible to the present author, but where work in English is at issue, perhaps present-day scholars dealing with South Asia may concern themselves with women's history more intensively than has been the case to date. In the same vein, slavery and slave-like dependency should probably receive more attention in studies of the subcontinent than scholars have been willing to accord to these issues.

On the other hand, by taking cognizance of the work on South Asian slavery and dependence, we Ottoman historians can come to appreciate the limits of our sources better than we have done so far. The work of Shahid Amin, Shadab Bano or Nandita Prasad Sahai highlights the extent of unregulated violence to which householders in the subcontinent might subject their dependents both free and slave.[97] Theoretically, Ottoman slaves could complain to the qadi if badly mistreated. However, the rarity of such cases in the qadi registers of the 1600s or 1700s should make us wonder whether for most slaves, especially for most fe-

95 Jane Hathaway, *Beshir Agha: Chief Eunuch of the Ottoman Imperial Harem* (Oxford: Oneworld Publications, 2006); Hathaway, *The Chief Harem Eunuch.*

96 Dipesh Chakrabarty, *The Calling of History: Sir Jadunath Sarkar and* His *Empire of Truth* (Ranikhet and Delhi: Permanent Black and Ashoka University, 2015), 240–77 and elsewhere.

97 Shahid Amin, *Conquest and Community: The Afterlife of the Warrior Saint Ghazi Miyan* (Chicago: The University of Chicago Press, 2016), 58–60.

males, this was in fact a practical possibility.[98] While the elite slaves aka servitors of the sultan possessed a space for agency, we should not overestimate the possibilities available to 'ordinary slaves', especially if they were women.[99] Taking cognizance of studies on South Asia thus may help us avoid the 'document fetishism' to which we Ottoman historians remain particularly susceptible.[100]

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99 Zilfi, *Women and Slavery*, 108.

100 Halil Berktay, "State and Peasant in Ottoman Historiography," in *New Approaches to State and Peasant in Ottoman History*, ed. Halil Berktay and Suraiya Faroqhi (London: Frank Cass, 1992), 110.

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Christoph Witzenrath

Agency in Muscovite Archives: Trans-Ottoman Slaves Negotiating the Moscow Administration

Why would anyone expect evidence of the agency of captives and Ottoman slaves in Muscovite archives? Muscovy was not a direct neighbor of the Ottoman Empire, despite its largely unsuccessful forays into the North Caucasus. Until the first Russian-Ottoman War in the 1670s they were separate empires, only remotely connected by contested frontier areas and neighboring states.[1] Moreover, the still prevailing framework for interpreting pre-Petrine history among all but specialists of the period is that of a largely passive and enserfed population and boiar-'slaves'[2] under an all-powerful tsar. Beyond that image—which has endured since European travelers from the 16th century onward copied it from one another, and which has proven particularly long-lived among students of world history[3]—there are some undisputed facts that might have hindered documentation of acts of agency; such as, among others, low levels of education and literacy in the population.

Nevertheless, the archives are full of evidence about slave agency. Each of the documents related to returning slaves, petitions and investigations, contain at least some shreds of evidence of agency. As I shall explain below, the very process by which someone from Muscovy or the eastern Slavic lands in the 15th to 17th centuries became a slave in the Ottoman Empire and beyond was an obstacle to their return. For a slave or former slave, it required a decision, often much resolve, to repatriate or travel to Moscow. Moreover, chances to advance socially for slaves and freedpeople were considerably higher in the cosmopolitan Otto-

1 Brian L. Davies, *Warfare, State and Society on the Black Sea Steppe, 1500–1700* (London: Routledge, 2007).

2 See Christoph Witzenrath, "Introduction. Slavery in Medieval and Early Modern Eurasia: An Overview of the Russian and Ottoman Empires and Central Asia," in *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860*, ed. Christoph Witzenrath (Farnham, UK: Ashgate, 2015), 26–31.

3 Donald Ostrowski, "Towards the Integration of Early Modern Rus' into World History," in *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860,* ed. Christoph Witzenrath, 1–77 (Farnham, UK: Ashgate, 2015), 105–43; Nancy S. Kollmann, *The Russian Empire 1450–1801* (Oxford: Oxford University Press, 2017), 1–2.

man Empire; so most stayed. First, we will have to consider this process, then the possible reasons that led to a decision to return or seek help in Moscow, and the ways in which they could be communicated in Muscovy. Besides, for a better understanding of these reasons, some reflections on the general conditions of slaves and slave agency in the Ottoman Empire are necessary.

Muscovy and the Steppe

By the 16th century the Eurasian heartland's neighbors south of the great mountain chains became 'gunpowder empires', stabilizing Islamic power after its previous decline in the 14th to 16th centuries. Their armies or those of their projecting allies, the Turkmens, Tatars and Maghreb corsair states extracted infidel captives on a grand scale from India to South-east Asia, from the Sahara to the Balkans and from Newfoundland to Central Asia. A Crimean Tatar army sacked Moscow outside the Kremlin walls in 1571, and 'harvested' Christians.[4] More importantly, smaller armies led by members of the dynasty or local dignitaries made annual raids by stealth. Hard to trace on the steppe and working on a commercial basis with credit extended by Ottoman merchants, they led away the majority of captives.[5] Still, many Tatars on the Crimean peninsula lived as settled agriculturalists and answered only very reluctantly even to the khan's call to arms.[6]

These advances of Islam obscured structural flaws: newly conquered Christian and Hindu populations often refused to convert,[7] which increased pressures to rely on administrative and military slaves. European and other non-Muslim forces shifted the balance of power in the Mediterranean further in their favor; Ethiopia regained the upper hand in the late 16th century aided by Portuguese flanking activities in the Indian Ocean.[8] Muscovy relied on semi-independent Tatar retainers from the late 14th century onwards and annexed the Tatar kha-

4 Brian G. Williams, *The Crimean Tatars: The Diaspora Experience and the Forging of a Nation* (Leiden: Brill, 2001), 49–51; Richard Hellie, "Slavery," in *The New Encyclopaedia Britannica*, vol. XXVII, 288–300; Halil İnalcık, ed., *An Economic and Social History of the Ottoman Empire* (Cambridge: Cambridge University Press, 1997), 284–85.

5 Brian L. Davies, *Warfare, State and Society on the Black Sea Steppe, 1500–1700* (London: Routledge, 2007), 17–22; Valerii E. Vozgrin, *Istoriia Krymskikh Tatar: Ocherki etnicheskoi istoriikorennogo naseleniia Kryma,* vol. I (Simferopol': Krymuchpedgiz et al., 2013), 440–54.

6 Vozgrin, *Istoriia krymskikh tatar.*

7 Hodgson, Marshall G. S., *The Venture of Islam: Conscience and History in a World Civilization* (Chicago: University of Chicago Press, 1974), 59–133.

8 Scott C. Levi, "Hindus Beyond the Hindu-Kush: Indians in the Central Asian Slave Trade," *Journal of the Royal Asiatic Society* 12 (2002); Jacques Heers, *Les négriers en terres d'Islam. La première traite des Noirs, VIIe–XVIe siècle* (Paris: Perrin, 2003).

nates of Kazan', Astrakhan' and Sibir' in the second half of the 16th century.[9] Cossacks from mixed-ethnic backgrounds adopted sold boys or married local girls and settled on Islamic frontiers while Tatars under Russian rule could no longer own Christian slaves after 1628.[10] Oirat Mongols adhering to Buddhism migrated westwards from 1608, displacing Muslim Tatars as far as the lower Volga while also raiding for, and selling, slaves.[11] From the 17th century onwards, discontent with slavery surfaced in gunpowder empires attempting to centralize power. Slavery was stagnant during the 18th century, as Muslim gunpowder empires lost their technological and cultural edge to Christian powers.

Serfs, Slave Raids and the Muscovite Border Regime

Serfs and slaves are in many regards different, if related, categories. Recent studies have questioned what serfdom exactly entailed, shedding new light on this old question. Many scholars hold that serfdom was close to or resembled slavery.[12] Others emphasize that, for peasants, it was a way of living in climatic conditions that severely limited the fertile period. The harvest was often threatened by variations of temperature, humidity and other factors that would have been minor in more moderate zones. The landowner's obligation to dispense aid in times of famine buffered against such effects. Consequently, peasants more easily accepted work dues to the owner of the estate than cash dues, since the fulfilment of the former did not depend on climatic vagaries and the vicissitude of the market, which was volatile due to climatic conditions and harvests.[13]

9 Andreas Kappeler, *The Russian Empire: A Multiethnic History*, with the assistance of Alfred Clayton (Harlow: Longman, 2001 [German: 1992]); Donald G. Ostrowski, *Muscovy and the Mongols: Cross-Cultural Influences on the Steppe Frontier, 1304–1589* (Cambridge: Cambridge University Press, 1998).

10 Richard Hellie, *Slavery in Russia, 1450–1725* (Chicago: University of Chicago Press, 1982), 73–74.

11 Peter B. Golden, *An Introduction to the History of the Turkic Peoples: Ethnogenesis and State Formation in Medieval and Early Modern Eurasia and the Middle East* (Wiesbaden: Harrassowitz, 1992), 327; Levi, "Hindus beyond the Hindu-Kush," 279.

12 Peter Kolchin, *Unfree Labor: American Slavery and Russian Serfdom* (Cambridge: Belknap Press of Harvard University Press, 1987). Brower, Daniel; Layton, Susan: "Liberation through Captivity." *Kritika* 6 (2005): 259–279.

13 Richard Hellie, *Enserfment and Military Change in Muscovy* (Chicago: University of Chicago Press, 1971); David Moon, *The Russian Peasantry, 1600–1930: The World the Peasants Made* (London: Longman, 1999). Dmitry Khitrov, "Tributary Labour in the Russian Empire in the Eighteenth Century: Factors in Development," *International Review of Social History* 61 (2016). On climatic conditions, see Kollmann, *The Russian Empire 1450–1801*, 25–28.

Recent micro studies of individual local estates looked closely at rights and obligations. Contrary to repeated claims, serfs on at least some estates were ruled by distinct, localized sets of administrative practices, property rights, judicial structures and customary norms to extract rents while peasants were flexibly allowed to engage in markets.[14] The limitations of this model of governance were on a different plane: they arose where relations between these microcosms of separate estates were concerned. As serfs could not rely on institutions that spanned the whole of Russia, or at least considerable parts of it beyond the estate on which they lived and the landholder's office in St Petersburg as a central oversight, their economic potential was both stabilized by serfdom and constrained by its limited range of influence.[15] However, many serfs actually lived in towns outside the estate, but still paid dues to the landowner.[16] Certainly in the period up to 17th1650s, few middle-ranging institutions were available to peasants beyond the reach of the estate; however, most peasants still lived in conditions of subsistence economy. The actual influence of the only overarching set of institutions—the tsar and the chancelleries—depended heavily on their local allies and therefore on the local balance of power.[17] This balance was partly determined by the landowner's and the head of community's power to send peasants to Siberia, to the army or, since 1721, even to sell them.

Such a view of serfdom is upheld by a comparative overview of forms of the new serfdom in Central and Eastern Europe, which finds that the underlying factor that influenced the degree to which peasants lost their initial privileges and freedoms, which they were granted upon settlement both in Russia and in the West, was how recently settlement had begun or intensified. The ability of peasants to stabilize their agency depended on how securely intermediate agents such as the church, monasteries, bailiffs, independent courts of minor rulers or towns and others were established and how many diverse agents were available for interaction.[18]

14 Elise Kimerling Wirtschafter, *Russia's Age of Serfdom 1649–1861* (Oxford, Mass.: Blackwell, 2008), 97–98; Matthew P. Romaniello, *The Elusive Empire: Kazan and the Creation of Russia, 1552–1671* (Madison: University of Wisconsin Press, 2012). See Kolchin, *Unfree Labor*, 41, 399 n. 74.

15 Tracy Dennison, *The Institutional Framework of Russian Serfdom* (Cambridge: Cambridge University Press, 2011).

16 Daniel Brower and Susan Layton, "Liberation Through Captivity," *Kritika* 6 (2005): 259–79.

17 Valerie A. Kivelson, *Autocracy in the Provinces: The Muscovite Gentry and Political Culture in the Seventeenth Century* (Stanford: Stanford University Press, 1996); Christoph Witzenrath, *Cossacks and the Russian Empire, 1598–1725: Manipulation, Rebellion and Expansion into Siberia* (London: Routledge, 2007).

18 Christoph Schmidt, *Leibeigenschaft im Ostseeraum: Versuch einer Typologie* (Köln: Böhlau, 1997), 127–40. On the uneven distribution, development and severity of serfdom in medieval Western Europe: Paul Freedman and Monique Bourin, eds., *Forms of Servitude in Northern and Central Europe* (Turnhout: Brepols, 2005), 5–6.

Due to their close historical relations serfdom and slave raids help us to understand Russian history in its Eurasian setting. Serfdom as a form of bondage that limited mobility was introduced during the devastating Livonian War in the 1560s, when the tsar's forces relied on local servitors petitioning to tie down their peasants. However, in the longer term, growing opportunities for settlement in the more fertile and milder southern areas on the steppe frontier contributed to the growth of serfdom. These areas gradually became available for settlement as fortification secured them against incursions from the steppe, which had earlier impeded agriculture. A lack of suitable implements for tilling the heavy, rich ground was a second limiting factor, delaying full settlement until the 18th century.[19] For both strategic and symbolic reasons, the tsar and the chancelleries were interested in stabilizing the frontier and encouraging military settlement, which attracted many from among the enserfed peasantries. However, commitment in the interior depended on landlords who were affected by loss of labor for the same reasons. While hardly anybody questioned the benefits of reducing the raids from the steppe, the lower and middling service ranks clamored about the loss of peasants to the 'strong people'—the boyars and monasteries whose estates were larger and therefore allowed their owners to be more lenient towards peasants.[20] For the tsar, the dilemma was marked by the loss of labor for their military servicemen, dependable retainers at grassroots level. A slow evolution of countermeasures mainly based on state intervention and rule enforcement took until the mid-17th century to reduce peasant flight. In such conditions, beyond stopping slave raids pervasive border fortification was meant not only to stop slave raids, but also to control in- and outmigration. At the same time, increased security just behind the new fortifications attracted peasant migration. Moreover, border governors had instructions to chase returning slaves fleeing the custody of slave traders on their way to Moscow, since the latter brought them closer to home and former master i. e. the tsar. The slave traders often had paid

19 The lack of a suitable plow allowing to cut through the heavy soil and grassroots clods of the steppe: Brian J. Boeck, "Containment vs. Colonization: Muscovite Approaches to Settling the Steppe," in *Peopling the Russian Periphery: Borderland Colonization in Eurasian History,* ed. Nicholas B. Breyfogle, Abby M. Schrader, and Willard Sunderland (London: Routledge, 2007), 41–60; Willard Sunderland, *Taming the Wild Field: Colonization and Empire on the Russian Steppe* (Ithaca, NY: Cornell, 2004), 55–95. I am grateful to Donald Ostrowski for making me aware of this.

20 Richard Hellie, "The Economy, Trade and Serfdom," in *Cambridge History of Russia: Vol. 1. From Early Rus' to 1689*, ed. Maureen Perrie (Cambridge: University of Cambridge Press, 2006), 548; Natalia A. Gorskaia, *Krest'ianstvo v periody rannego i razvitogo feodalizma,* Istoriia krest'ianstva SSSR s drevneishich vremen do velikoi oktiabr'skoi sotsialisticheskoi revoliutsii 2 (Moskva: Nauka, 1990), 379–80; Pavel Smirnov, *Chelobitnaia dvorian i detei boiarskikh vsekh gorodov v pervoi polovine 17 veka* (Moskva: Sinod. Tip., 1915), 10, 38–41, 44.

for their manumission in advance or pawned own relatives.[21] Nevertheless, neither peasants nor returning slaves could completely be prevented from moving in one direction or another.

Michael Khodarkovsky has attributed imperial Russia's low level of urbanization to the drain on the labor force due to the raids.[22] We can discount this factor in Russia's slow development for the newly founded, if small, towns in the south that ignited urbanization in areas formerly devoid of settled population. Unlike in Ukraine and the Caucasus, fortifications curtailed slave raids in Muscovy by the second half of the 17th century. The resulting reallocation of resources increased demand for labor at the frontier but constrained large-scale urbanization intermittently since the 1570s and more incisively the 1630s. This further reduced the number of mid-range agents available to peasants, such as poor, unemployed jurists. In 15th-century Italy and France, redundant and migrant lawyers offered their services to peasants when the latter faced challenges from landlords who sought to increase tributes; thus improving peasant interagency and their access to courts of law.[23] In Russia, there was a long-standing shortage of jurists because universities, which had first been projected under Tsar Boris Godunov in the late 16th century, were established only from the 18th century onwards due to the economic exigencies of the Time of Troubles, steppe fortification building and general warfare. Clearly, Muscovy was neither Europe nor the Ottoman Empire: 2–3% of the population could read and write, according to inconclusive studies of literacy even in the capital. However, 11% of the Cossacks in the eastern Siberian trade hub of Irkutsk were at least highly functionally literate (a measure that remains impossible to prove for most European countries). This is just one example of the 'island conditions' that accounted for much higher than average levels of education within some groups and localities.[24] The widespread—yet by no means absolute—indifference to Western learning during the Muscovite period did not help to make captives' narratives more detailed. In Europe these were often based on questionnaires put together by academics.[25]

21 Hans Hecker, "Die Christenpflicht als Rechtsnorm: Der Loskauf der Gefangenen im Uloženie von 1649," in *Geschichte Altrusslands in der Begriffswelt ihrer Quellen. Festschrift zum 70. Geburtstag von Günter Stökl*, ed. Uwe Halbach (Wiesbaden: Steiner, 1986), 154–63.

22 Michael Khodarkovsky, *Russia's Steppe Frontier: The Making of a Colonial Empire, 1500–1800* (Bloomington: Indiana University Press, 2002), 21.

23 Overview of scholarship: Witzenrath, *Cossacks*, 73–74, nn. 93, 95.

24 Christoph Witzenrath, "Literacy and Orality in the Eurasian Frontier: Imperial Culture and Space in Seventeenth-Century Siberia and Russia," *The Slavonic and East European Review* 1 (2009): 53–77.

25 Brian L. Davies, "The Prisoner's Tale: Russian Captivity Narratives and Changing Muscovite Perceptions of the Ottoman-Tatar Dar-Al-Islam," in *Eurasian Slavery, Ransom and Abolition*

Slavery and Islam in Eurasia

As Islam came to be the dominant religion in one of the world's most culturally and technologically sophisticated regions—the Middle East, Central Asia and the Mediterranean—, it inherited whole sets of institutions and customs. They were not always easily compatible with what had taken root in the mind of Mohammed in an impoverished peninsula inhabited by herdsmen and some townspeople. Connected to civilization but remote in the desert, the first Muslims combined ancient local identity with universal, monotheistic truth to create a momentum that kept them both apart and in contact with the cultures they conquered.[26] In these regions and beyond, one of the main institutions of the ancient world, slavery, proliferated and soon obtained its own, specifically Muslim hues, understood here as a cultural vector rather than a purely religious one. The tensions inherent in the cultural adaptation of nomads to the remnants of antiquity lived on and may still be discerned in differing forms in early modern Muslim perspectives on slavery.[27] Thus, there is no one Muslim take on slavery: the various schools of religious law, laws promulgated by Muslim rulers, the locally strong admixtures of customs or regional, pre-Islamic laws and the diverse Sufi orders as well as individual Islamic scholars all contributed to a rich and variegated patchwork of views. The tensions created by these overlapping texts, practices and customs could be exploited by slaves to some degree; therefore, the study of Islamic slavery presupposes a great deal of attention to details of law.[28]

There is no creed in history that might be singled out for slavery and the trade in slaves.[29] However, there were factors that set apart certain areas and periods in terms of demand for slaves. Commerce, exchanges and wars in the Middle East, Central Asia and the Mediterranean among the early modern gunpowder empires and with expanding European powers generated a growing intake of involuntary labor. These factors are partly related to religion, partly to the establishment of a military regime or its survival, or to commercial and administrative

in World History, 1200–1860, ed. Christoph Witzenrath (Farnham, UK: Ashgate, 2015), 279–94.

26 Robert Brunschvig, "ʿAbd," in *EI2*, vol. I, 24–40. On contacts across the desert and seas, see Glen W. Bowersock, *Die Wiege des Islam: Mohammed, der Koran und die antiken Kulturen* (Munich: Beck, 2019).

27 See Patricia Crone, *Slaves on Horses: The Evolution of the Islamic Polity* (Cambridge: Cambridge University Press, 1980), 18–26.

28 Ehud Toledano, *As If Silent and Absent. Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press, 2007), 16; William Gervase Clarence-Smith, *Islam and the Abolition of Slavery* (London: C. Hurst & Co., 2006).

29 Jacques Jomier, *Pour connaître l'Islam* (Paris: Cerf, 1988), 102; transl. Jacques Jomier, *How to Understand Islam* (New York: Crossroad, 1989).

competition that induced the elite to augment its economic potential by taking on human resources hitherto unrelated to their extended households, enterprises or the state.[30] Religion as part of the epistemological framework of culture and of institutions was basic to the definition of slavery, and for embedding in law and its practice.[31] Furthermore, some ostensible believers treated slaves as recruitment material for the cause of Islam. Nevertheless, Islam from early on emphasized the humane treatment of slaves.

Scholarly debate has centered on whether Muslim slavery was, as has often been claimed, 'milder' than the chattel slavery many Africans experienced in the New World. Such claims are doubly dubious against the backdrop of recent and continuing enslavement in remote areas and sexual slavery in the modern world, and because of the more methodically bottom-up perspective of the latest scholarship on the early and middle periods of Ottoman history. Students of Islamic slavery now are less prepared to accept the good-treatment thesis created as a defensive concept by the late Ottoman elite facing Western abolitionists.[32]

Marshall Hodgson has put forward the paradox that an egalitarian and socially mobile society seemed to require slaves to balance those who quickly had risen to the top.[33] While this contention remains insufficiently explored, a sensible hypothesis is that, in Islam, slavery had a special edge because of its very egalitarian ideals and high social mobility. However, the military successes of strictly monotheistic egalitarianism brought about the creation of dominant social groups expecting political influence. Before industrialization such broad social groups hardly permanently supported themselves without booty or dependent labor to provide the necessary military power to safeguard an advanced civilization.[34] In any case, Islam quickly adapted to the inherited social proviso of irrigated agriculture requiring a large workforce. Consequently, the ubiquity of slave labor, drawn mostly from captives of wars, was a response to the inadmissibility of serfdom and forced labor of Muslims and subservient infidels.[35]

After the initial wave of conquests, rulers were no longer able to rely politically and militarily on Arabic tribes and the faithful who retreated to asceticism and local concerns; hence they found a new pool of recruits in slaves. Elite slavery

30 Ehud Toledano, "Enslavement in the Ottoman Empire in the Early Modern Period," in *The Cambridge World History of Slavery*, vol. 3: AD 1420–AD 1804, ed. David Eltis and Stanley L. Engerman (Cambridge: Cambridge University Press, 2011), 25–46.

31 Sue Peabody, "Slavery, Freedom, and the Law in the Atlantic World," in *The Cambridge World History of Slavery*, vol. 3, 609.

32 Toledano, *As If Silent*, 17.

33 Hodgson, Marshall G. S., *The Expansion of Islam in the Middle Periods,* The Venture of Islam 2 (Chicago: University of Chicago Press, 1974), 355.

34 On exploring the relations between egalitarianism and slavery, see Clarence-Smith, *Islam and the Abolition*, 19.

35 Clarence-Smith, *Islam and the Abolition*, 19.

became a menace to public life, taking over political power in many places; concubines posed a parallel threat in the private sphere.[36] By the same token, however, slavery itself contributed to upward social mobility—characteristics that set Muslim societies apart from the social rigidities of European medieval social estates.

Except for the areas in which customary law was strong, which created numerous complex and conflicting gradations of slavery, the definition of slavery was straightforward. According to the holy law of Islam, the sharia, slaves were chattels which could be resold, akin to livestock in many respects. However, they possessed certain cautiously marked-out rights, as their humanity was incontestable.[37]

The clear legal definition obscures a perplexing variety of social roles, encumbering both scholars' overview and the solidarity of those under the sway of slavery.[38] Rulers became dependent on household and military slaves and on eunuchs and concubines to such a degree that slaves sometimes seized power.[39] Singing-girls could become influential at court, and a concubine who bore a son for a mighty man wielded immense power, especially as a widow. The early 17th-century Ottoman Empire was even dubbed the 'sultanate of the women,' many coming from Eurasia as slaves.[40] Some female slaves successfully sued for mistreatment, especially if they were sold while being pregnant.[41]

Yet this was not the lot of the vast majority assigned to menial tasks or who ended up as 'cannon fodder.' The lives of ordinary soldiers were cruel, brutish and short.[42] Slavery was also common on small and medium landholdings, in Central Asian irrigation, in mining, transport, public works, proto-industry and large-scale construction.[43] Turkmen raiders made their slaves 'watch the flock, prepare the food, make felts and weave carpets.'[44] Singing-girls were prostitutes and courtesans. Sexual continence was imposed on abandoned sexual partners in

36 Patricia Crone and Michael Cook, *Hagarism: The Making of the Islamic World* (New York: Cambridge University Press. 1977), 148.

37 Clarence-Smith, *Islam and the Abolition*, 2; Brunschvig, "ʿAbd."

38 Toledano, *As If Silent.*

39 Tōru Miura and John E. Philips, *Slave Elites in the Middle East and Africa: A Comparative Study* (London, 2000).

40 Ehud R. Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle: University of Washington Press, 1998), 44. On Hürrem, see Leslie P. Peirce, *Empress of the East: How a European Slave Girl Became Queen of the Ottoman Empire* (New York: Basic Books, 2017).

41 Liubov Kurtynova-D'Herlugnan, *The Tsar's Abolitionists: The Slave Trade in the Caucasus and Its Suppression* (Leiden: Brill, 2010), 42–43; Toledano, *Slavery and Abolition*, 59–67.

42 Daniel Pipes, *Slave Soldiers and Islam* (New Haven: Yale University Press, 1981); Crone, *Slaves on Horses.*

43 See Clarence-Smith, *Islam and the Abolition*, 4.

44 Duncan Cumming, ed., *The Country of the Turkomans: An Anthology of Exploration from the Royal Geographical Society* (London: Oguz Pr, 1977), 68.

harems, while their female attendants suffered celibacy and drudgery; bad treatment might become more severe if it issued from a jealous mistress.[45] Prostitution of slaves was plainly forbidden in 24:33 of the Qur'an, commenting on pre-Islamic Middle Eastern custom.[46] However, the legal fiction of short-term sales covered its practice in Ottoman lands and probably elsewhere.[47]

Generalizations about treatment are risky since reports by slaves have commonly been removed from the historical record. Islamic law banned the molestation of wards, but control of such rules was restricted because the household fell under the private sphere. Less formal sources convey both vigorous exhortations for good treatment and alternative modes of operation: One Hadith —from the body of tradition linked to the Prophet Muhammad—approved of corporal punishment, and a widely quoted Arab saying stated that "slaves are beaten with a stick." 12th-century Baghdad theologian, Abu al-Faraj ibn al-Jawzi suggested that "it is incumbent upon a wife to suffer her husband's ill-treatment as a slave should."[48]

While there are several reports about mild-mannered masters and some slaves enjoyed contractual independence in certain areas of activity, they are offset by less agreeable treatment that included social marginalization through frequent resale. An observer in 19th-century Istanbul noted that "slaves pass through the hands of ten or twenty masters, who make them lead the life of cab-horses, beat them at intervals, and at last sell them."[49] Two centuries earlier, dry-worded petitions to the Moscow chancelleries recorded that some returnees had often been resold, sometimes decades after initial captivity, doing menial work.[50] According to Christian and therefore potentially biased witnesses, the Crimean Tatar khanate was hardly better regarding treatment of captives.[51] The *ulama* prohibited mutilating slaves or filing their teeth, threatening severe con-

45 Kurtynova-D'Herlugnan, *The Tsar's Abolitionists*, 39; Leslie P. Peirce, *The Imperial Harem: Women and Sovereignty in the Ottoman Empire* (New York: Oxford University Press, 1993), 138, 141–42.

46 Brunschvig, "ʿAbd," 25.

47 Y. Hakan Erdem, *Slavery in the Ottoman Empire and Its Demise, 1800–1909* (Basingstoke: Palgrave Macmillan, 1996), 34–35; James Forsyth, *A History of the Peoples of Siberia: Russia's North Asian Colony 1581–1990* (Cambridge: Cambridge University Press, 1992), 67–68, 73.

48 Cited in Clarence-Smith, *Islam and the Abolition*, 4.

49 John Hunwick and Eve T. Powell, *The African Diaspora in the Mediterranean Lands of Islam* (Princeton, NJ: Markus Wiener, 2002), 124.

50 For example, Rossiiskii gosudarstvennyi arkhiv drevnykh aktov [RGADA] f. 210 (Razriad) d. 617, l. 5; RGADA f. 210, d. 773, ll. 183, 185; RGADA f. 210, d. 1194, l. 52; RGADA f. 210, d. 1355, ll. 33, 34. See Ehud Toledano, "Enslavement in the Ottoman Empire in the Early Modern Period" in *The Cambridge World History of Slavery*. Volume 3: AD 1420–AD 1804, 37–38.

51 Martin Broniewski, "Opisanie Kryma (Tartariae Descriptio)," *Zapiski Odesskogo obshchestva istorii i drevnostei* 6 (1867): 357.

sequences for owners and manumission for slaves.[52] However, 16th-century Crimean Tatars reportedly branded slaves on the forehead and Barbary corsairs marked them on the soles of their feet; this may sometimes also have been done to recaptured runaways.[53] While these observations rely on singular sources, the recent scholar of the Crimean Tatars, E.V. Vozgrin of St Petersburg insists that the sources that might contain materials on slaves held by the Crimean Tatars have not been studied; however, it is unlikely that they kept many, since the structures of their economy did not allow it.[54]

Enslavement depended squarely on vicious raids, harrowing compulsory marches, dismal sales of deprived people and perilous maritime voyages. It may be all too appealing to define away the issue by hinting at the interested nature of 19th- or even 17th-century European denunciations. However, some generally open-minded Islamic sources and the few first-hand accounts of slaves essentially describe the same horrors encountered elsewhere. Always a good read, the 17th-century traveler and *homme des lettres* Evliya Çelebi shows emotional attachment to his slaves with whom he usually travelled, but he also captured some on an expedition. While in Crimea, he quotes an Arab proverb: 'Whosoever sells a man, cuts down a tree, or breaks a dam, is cursed by God in this world and in the next.'[55] From the Prophet's own slave taken from the defeated Jewish Qurayza tribe, Rahaina, who may have tried to poison her master, to the recently studied Ottoman slaves who sought their own ways out in multiple everyday acts of petty assertion and resistance there is every indication that Islamic slavery, despite the apparently broader spectrum of occupations and roles, was recognizably related to parallel phenomena in other cultures.[56]

The ways in which Islam promoted, but also decelerated, abolition may be outlined briefly as follows. The foundations of slavery in the original texts were frail, aggravating an enduring tension between religious belief and social reality. Based on this tension, any interpretation may be rejected that stipulates a single Islamic point of view on slavery. Slavery was the clearest repudiation of the

52 Brunschvig, "ʿAbd," 27, 31.

53 Alan Fisher, "Chattel Slavery in the Ottoman Empire," *Slavery and Abolition* 1 (1980): 25–45.

54 Vozgrin, *Istoriia krymskikh tatar*, 440–54. See also Mária Ivanics, "Enslavement, Slave Labour and Treatment of Captives in the Crimean Khanate," in *Ransom Slavery along the Ottoman Borders: Early Fifteenth – Early Eighteenth Centuries*, ed. Géza Dávid and Pál Fodor (Leiden: Brill, 2007), 193–220; Leszek Podhorodecki, *Chanat Krymski i jego stosunki z Polska w XV–XVIII w.* (Warszawa, 1987), 62–64; Paul R. Magocsi, *A History of Ukraine: The Land and Its Peoples* (Toronto: University of Toronto Press, 2010), 186–87.

55 See Zygmunt Abrahamowicz, ed., *Ksiega podróży, Ewliji Czelebiego* (n.p.: Książka i Wiedza, 1969), 308, referring to Turkish slave traders in the Crimean town of Karasu. My thanks go to Thomas M. Prymak for making his unpublished article available to me. Robert Dankoff, ed., *An Ottoman Traveller: Selections from the Book of Travels of Evliya Çelebi* (Eland, 2011), 338–40.

56 Toledano, *As If Silent*; Clarence-Smith, *Islam and the Abolition*, 5.

socially egalitarian image of the faith. As it was embarrassing to many of the faithful, bondage stimulated disputes and diverse interpretations.[57]

Sultan's law initially intensified slavery but began to rein in the institution from the 16th century. Once confronted by the strong and popular Western challenge to slavery in the 19th century, responses were still ambivalent. Mystics and millenarians, for example, explosively increased rates of enslavement when they chose the way of the sword. However, subversive millenarians, claiming the right to abolish the law and reshape society, might oppose slavery. Peaceful mystics also did much to integrate former slaves into Islam.

Overall, a perplexing paradox remains: Islam began earlier than other religions to regulate slavery and encourage the faithful to engage in manumission, and yet Muslim conservatives generally lagged behind those in other faiths in approving complete emancipation.[58]

A Sunni Consensus

The Qur'an neither approved of nor clearly banned slavery. Muhammad proscribed anybody but himself to take slaves in battle and allowed no other method of acquiring them. Together with admonishments to manumit slaves, this could have brought about the death of the institution. However, one Hadith, a tradition attributed to the Prophet, called for slaves to resign themselves to their faith. Moreover, appeals for good treatment of slaves in the Qur'an and Hadith were double-edged swords, for they presuppose the existence of slavery.

The details of a compromise were worked out by Sunni *ulama* around 800,[59] and disseminated in the *umma*, the community of Muslim believers. They upheld human freedom as the norm, without exceptions for orphans, defaulters or felons. One means of enslavement was by capture of unyielding infidels in holy war, while others could be born to a slave mother and inherit the status, unless she was the concubine of a master who acknowledged paternity. Owners who wanted to marry one of their own slaves had to free her. Converting to Islam did not automatically confer liberty, but manumitting slaves, especially Muslim ones, was a pious act, even a binding one to propitiate for certain sins. Finally, religious law prescribed humane treatment in fine detail.[60] Rulings on slavery then came to be interwoven with the fabric of the holy law, making up about a third of the text

57 Clarence-Smith, *Islam and the Abolition*, 19.
58 Clarence-Smith, *Islam and the Abolition*, 19–21.
59 Irene Schneider, "Kinderverkauf und Schuldknechtschaft: Untersuchungen zur frühen Phase des islamischen Rechts," (Habilitation thesis, University of Cologne, 1996), 349–51.
60 Brunschvig, "ʿAbd."

of the *Hidayah* code, an influential late twelfth-century Hanafi legal commentary.[61]

The Qur'an is mute on the ordinary believer taking slaves; nevertheless, seizing hard-bitten infidels in holy war came to be considered as the most acceptable form of enslavement. While, according to many clerics, declaring holy war was the preserve of the caliph and justifications for taking slaves depended on it, there were many ways round these restrictions. The next stage in intensifying enslavement was to expand the category of the enslavable to the entire populace of a seized area. This allowed access to female slaves opening the way to hereditary slavery and concubinage.[62]

From the ninth century on, jurists developed the concept of *Dar al-Harb*, the abode of war, which lay beyond the lands of the believers and whose inhabitants 'were all potential slaves.'[63] Moreover, as 'Abd al-'Aziz b. Ahmad al-Bukhari declared, slavery was a form of divine retribution for unbelief: 'Freedom is the attribute par excellence of a living being in a secular jurisdiction whereas slaves are in the category of the dead, for servitude is a vestige of obstinacy in refusing to believe in God, and this in the eyes of the law is death itself.'[64]

However, such religious sanctions did not prevail everywhere, as local custom might retain the upper hand: Chechen and Circassian clans in the Caucasus raided for slaves without religious sanction or leadership.[65] Mediterranean privateering, although it retained aspects of a contest between faiths, was also business. It was rooted in economic relationships on, and sometimes even between, both sides of the Mediterranean. Joint slave raiding with infidels may have been the ultimate negation of the ideal of holy war, but it was common.[66] It was among the mechanisms by which Russian tsars since Ivan IV co-opted Muslim elites.[67]

There was a sophisticated body of Islamic jurisprudence concerning the treatment of slaves and well-established habits of persecuting religious outsiders,

61 Burhan-ad-deen Alee al- Marġīnānī, Charles Hamilton, and Standish Grove Grady, "The Hedaya, or Guide: A Commentary on the Mussulman Laws,", http://heinonline.org, xxxi. (accessed on 1 September 2019).

62 Clarence-Smith, *Islam and the Abolition*, 27.

63 John Hunwick, "Black Africans in the Mediterranean World: Introduction to a Neglected Aspect of the African Diaspora," in *The Human Commodity: Perspectives of the Trans-Saharan Slave Trade*, ed. Elizabeth Savage (London, 1992), 11.

64 Clarence-Smith, *Islam and the Abolition*, 28.

65 R. Majerczak, "Le Mouridisme Au Caucase," *Revue du Monde Musulman* XX (1912): 197; Erdem, *Slavery*, 46.

66 Clarence-Smith, *Islam and the Abolition*, 29–31.

67 Witzenrath, *Cossacks*, 24–26; Mária Ivanics, "Enslavement, Slave Labor and Treatment of Captives in the Crimean Khanate" in *Ransom Slavery along the Ottoman Borders. Early Fifteenth–Early Eighteenth Centuries*, ed. Géza Dávid und Pál Fodor (Leiden, Boston: Brill 2007), 193–220.

but the dissonance between theory and practice was considerable. The extent of this disagreement increased the further one moved from noted religious centers, such as Bukhara. Thus Khiva, lacking a solid, influential *ulama*, developed into the hub of the Central Asian slave trade. The khanate's Uzbek ruling elite mainly possessed and profited from irrigated oasis agriculture, were the principal consumers of Persian and Indian slave labor. Yet the itinerant Turkmens roaming the trans-Caspian steppe were, as raiders, the main providers.[68]

Although ransom is explicitly endorsed in 47:4 of the Qur'an, the initiator of the Hanafi School outlawed it; later jurists even banned exchanges of captives.[69] Nevertheless, capturing people for the main purpose of offering them for exchange or ransom was frequently practiced—for example, by the Crimean Tatars. Since establishing the price that could maximally be paid by a given captive under conditions of scarcity of information about their social whereabouts often entailed a liberal degree of torture, these captives may have gone through worse ordeals than many slaves in the Muslim lands.[70] Summarizing the prospect of travelling the steppe to escape Ottoman slavery approximated—notwithstanding the far better conditions many experienced—out of the frying pan into the fire.

To ease ransoming, some people offered special services. Well into the 19th century, on the North Caucasus frontier there existed well-developed informal connections between Cossacks and natives, who developed close relationships by fostering each other's children for years. These connections helped trade and forays into the mountains, but they could also help raiders seeking human and other booty. Moreover, these intermediaries, who knew where to find an open door in a generally hostile environment, acted as negotiators for ransoming disputes. While Cossacks usually handed their own captives over to their superiors, if they felt browbeaten and exploited by ransom demands they resorted to a widespread customary right, called *barimta* or *baranta*, which allowed the taking of booty to compensate for losses and faults. So even on this unruly frontier there were certain mechanisms that allowed crossing to each other's side, whether as captive, as intermediary or as trader. Such institutions provided rules for the game of raiding, rather than stamping it out.[71]

68 Benjamin D. Hopkins, "Race, Sex and Slavery: 'Forced labour' in Central Asia and Afghanistan in the Early Nineteenth Century," *Modern Asian Studies* 42 (2008): 645–46.

69 Ali A. Elwahed, *Contribution à une théorie sociologique de l'esclavage: Étude des situations génératrices de l'esclavage avec app. sur l'esclavage de la femme et bibliographie crit* (Paris: Mechelinck, 1931), 131; Thomas P. Hughes, *A Dictionary of Islam* (London: W.H. Allen, 1885), 597–98.

70 Brian J. Boeck, "Identity as commodity: tournaments of value in the Tatar ransom business," *Russian History/Histoire Russe* 35 (2008): 259–66.

71 Thomas M. Barrett, *At the Edge of Empire: The Terek Cossacks and the North Caucasus Frontier, 1700–1860* (Boulder, CO: Westview Press, 1999), 158–62, 174–79.

Infidels not directly ruled by Muslims offered tribute in slaves when they had little else of value. The Ottomans and the Crimean Tatars imposed levies of children on vassal states, including Christian Georgia and the Circassians.[72] Infidels might enter servitude with Muslims as a matter of private contract. Deserters such as those fleeing harsh conditions in Russia's army or volunteers aiming to rid themselves of their serf status through legal loopholes were among them. However, Muslim slaves also fled in the opposite direction, joining the autonomous and, later, privileged Cossacks.[73]

Disapproving attitudes towards Muslim slave traders who suffered from a generally poor reputation reveal some uncertainty as to whether purchasing slaves was acceptable. However, there is some evidence to the contrary, which points to the ties between the steppe, the Caucasus and the Mediterranean world maintained by the slave trade. Such was, for example, the lofty reputation of vendors supplying soldiers in Mamluk Egypt:[74] 'Strong ties of affection and veneration' bound successful Turkic soldiers to the men who had sold them.[75]

Compared to other civilizations, among Muslims child slaves were rarely bought in order to adopt, which was prohibited by the Qur'an.[76] Furthermore, it clearly proscribes enslaving 'people of the book', which initially meant Jewish and Christian monotheists living peacefully under Muslim rule, paying special taxes.[77] However, one of the four prevalent sources of recruitment in the households of the Ottoman Empire was slavery. Since enslavement had cut the social ties of the enslaved person, they could be reattached to a new social unit which would command their loyalties and thereby extend its social, political and economic capabilities and reach. This vertical flow of loyalty, called patronage (*intisap*), was one of the basic resources of socio-politically complex urban elite families, which connected the empire's provinces among themselves and with the court—for example, by sending out their trusted slaves. The first among these units was the Istanbul court, where *kul*—elite slaves—regularly ran government business.[78]

72 Basilike D. Papoulia, *Ursprung und Wesen der "Knabenlese" im Osmanischen Reich* (Munich: Oldenbourg, 1963), 10, 14, 17, 57–59; David M. Lang, *The Last Years of the Georgian Monarchy, 1658–1832* (New York: Columbia University Press, 1957), 22.

73 Erdem, *Slavery in the Ottoman Empire*, 52; Barrett, *At the Edge of Empire*, 35–36, 174–76; Brower and Layton, "Liberation Through Captivity," 259–79.

74 David Ayalon, *L'esclavage du mamelouk* (Jerusalem: Israel Oriental Society, 1951), 1–4.

75 André Wink, *Al-Hind: The Making of the Indo-Islamic World,* vol. II (Leiden: Brill, 2003), 197–98.

76 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982), 232.

77 For discussion of the *devşirme* as deviation from Islam, see Clarence-Smith, *Islam and the Abolition*, 36–39.

78 Ehud Toledano, "Enslavement in the Ottoman Empire," 34–38.

In 47:4, the Qur'an clearly commands manumission after war. Jurists found reasons to nullify God's seemingly clear instructions to free prisoners in times of peace. The blanket concept of 'public interest,' derived from recurrent orders in the Qur'an to encourage good and prevent evil, intended that men should not be released to fight again—an exegetical exercise that appears to mock the Qur'an.[79] From a practical perspective, jurists feared that slaves would pretend to accept Islam to secure their release.[80] Piecemeal trans-imperial development described by Will Smiley led the Ottomans during the 18th century to treat their captives more and more as prisoners of war for exchange, alongside evolving European notions.[81]

Interagency and Loyalty

The conceptual framework of this article draws much on the background factors discussed above. Agency and loyalty both depend on a multitude of context variables: law, religion, politics, environment, the economy, or social factors. These concepts may also reinforce each other.

The widely used concept of agency has been criticized in W. Johnson's acute essay "On Agency,"[82] and Jeffrey Needell fittingly slated a wide range of recent studies of slavery using the term "slave agency" synonymous with resistance, especially where they interpret any action of slaves as potential resistance.[83]Already familiar as a basic category of social history from below,[84] however, the concept of "agency" has been significantly extended and modified by actor-network theories, by the history of objects and material cultures, by environmental history and human-animal studies.[85] These studies acknowledge that

79 Clarence-Smith, *Islam and the Abolition*, 25–26; Hughes, *A Dictionary of Islam*, 597–98.

80 John O. Hunwick, *Sharī'a in Songhay: The Replies of Al-Maghīlī to the Questions of Askia Al-Ḥājj Muḥammad* (Oxford: Oxford University Press, 1985), 123. See also Nikolai Agafonov, *Kazan' i kazantsy. Arkheologiia, istoriia, etnografiia, byt religioznyi, domashnii i obshchestvennyi, biografii,vospominaniia, memuary, pis'ma, predaniia, legendy, skazaniia starozhilov, genealogiia, nravy, obychai, pamiatniki, iskusstvo, kul'tura, prosvieshchenie, literatura, poeziia, bibliografiia, bytovye miestnye bellestristicheskie ocherki, etiudy i prochie materialy iz kazanskoi zhizni* (Kazan': Tipo-lit. I. S. Perova, 1978).

81 Will Smiley, *From Slaves to Prisoners of War: The Ottoman Empire, Russia and International Law*, 1st ed. (Oxford: Oxford University Press, 2018).

82 Walter Johnson, "On Agency," *Journal of Social History* 37 (2003): 113–24.

83 Jeffrey D. Needell, "The Abolition of the Brazilian Slave Trade in 1850: Historiography, Slave Agency and Statesmanship," *Journal of Latin American Studies* 33 (2001): 681–711.

84 Edward P. Thompson, *The Making of the English Working Class* (New York: Vintage, 1963); E. J. Hobsbawm, "From Social History to History of Society," *Daedalus* 100 (1971): 33–52.

85 Arjun Appadurai, *The Social Life of Things: Commodities in Cultural Perspective*, 10th print (Cambridge: Cambridge Univ. Press, 2012). Alfred Gell, *Art and Agency: An Anthropological*

slaves and other dependents appear as actors in community building, kinship networks, religion and more generally, everyday reality.[86] Violent antagonism is only one field of agency, which for a dependent person encompasses a plenitude of chances to act. Among them are varieties of silent resistance, the dynamics of legal conflicts, or conflicts structured by customary and religious traditions and rights.[87] Agency is observed in the everyday reality of dependent individuals or groups and dealings with their social environment, particularly their masters. These novel perspectives recognize that the relationship between master and slave, between the controlling and the subjugated is more complex than being determined exclusively by top-down domination, as something static without any prospect of alteration. Quite the opposite, even the smallest space for maneuvering has been considered a foothold for change. The ties between master and dependent are increasingly seen as malleable within the framework of the given social order.[88]

Building on Viviane Despret's concept of interagency, Juliane Schiel and others have proposed that individual agency is most productively considered in relation to other actors.[89] Rather than fixing on individual actions, they emphasize that the smallest unit of analysis for the study of social agency is always a social connection of at least two acteurs—or acteur groups.[90] In the limelight is the interaction within the social unit of dependent and master. On the one hand, all activities of the dependents are interlaced with the social standing of the masters. On the other hand, the actions of the subjugated can impress the conditions of life, even the religious and normative ideals of the master.[91] Thus, an

Theory, reprint (Oxford: Clarendon Press, 2007). Bruno Latour, *Reassembling the Social: An Introduction to Actor-Network-Theory* (Oxford: Oxford Univ. Press, 2005); G. Roßler, *Der Anteil der Dinge an der Gesellschaft: Sozialität–Kognition – Netzwerke* (Bielefeld: Transcript, 2016). D. J. Haraway, *The Companion Species Manifesto: Dogs, People, and Significant Otherness.* (Chicago: Prickly Paradigm Press, 2003).

86 Maria Helena P.T. Machado, "Slavery and Social Movements in Nineteenth-Century Brazil: Slave Strategies and Abolition in São Paulo," *Review (Fernand Braudel Center)* 34 (2011): 163–91.

87 Toledano, *As If Silent.*

88 Stuart B. Schwartz, "Denounced by Lévi Strauss. CLAH Luncheon Address," *The Americas* 59 (2002), 1–8.

89 Viviane Despret, "From Secret Agents to Interagency," *History and Theory* 52 (2013): 29–44; Juliane Schiel, Isabelle Schürch, and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden: Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," in *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte* 32 (2017): 17–48.

90 David Gary Shaw, "The Torturer's Horse: Agency and Animals in History," *History and Theory* 52 (2013): 146–67.

91 James Hoke Sweet, *Recreating Africa: Culture, Kinship and Religion in the African-Portuguese World, 1441–1770* (Chapel Hill: The University of North Carolina Press, 2003); James Hoke Sweet, *Domingos Álvares, African Healing, and the Intellectual History of the Atlantic World* (Chapel Hill: The University of North Carolina Press, 2011).

interagency focus concentrates on practical, day-to-day social interactions rather than abstract values which dependents might espouse in an unobserved moment, or silently soliloquizing.

For the specific social environments of returning or migrating captives and ransomed or manumitted slaves I propose an extension of this framework to consider not only their agency, but also their loyalties. These two terms combine blind spots reminding us that one man's loyalty is another man's agency—at least in such cases in which dependents and slaves moved from one country to another. In such situations, agency may be a short version for the toehold in which loyalty to a foreign power might be cultivated even though masters commonly expect exclusive loyalty.[92]

Loyalty as a research perspective presupposes legitimacy of the ruler but adopts a bottom-up perspective, mindful of the multitude of reasons among different groups and people for accepting a given ruler as legitimate, i. e. accepting their orders should normally be followed. While there may be grounds not to follow those orders, it is important to understand why people preferred to accept and follow them, even though they had not been forced into submission. Recent sociological and anthropological studies have advanced the hypothesis that any loyal relation is principally oriented towards reciprocity. This perspective looks through the prism of political-moral economy which considers the quid pro quo expected by subjects in return for compliance.[93] An important question derives from this: what were returning slaves expected to deliver in order to be considered loyal? Loyalties from the point of view of slaves may appear as part of opposing worldviews, namely those parts that are most visible and demand that requests be phrased in such terms.

Juxtaposing these two frameworks, interagency and loyalty as two bottom-up perspectives yields some preliminary insights: Whereas the interagency of slaves privileges direct social relations, some of which slaves might try to mobilize to improve their situation, loyalty works in more abstract settings, such as those in which slaves might find themselves when considering their options vis-à-vis a

92 On slaving as a historical strategy, see Joseph C. Miller, *The Problem of Slavery as History: A Global Approach* (New Haven: Yale University Press, 2012).

93 Nikolaus Buschmann and Karl B. Murr, "'Treue' als Forschungskonzept? Begriffliche und methodische Sondierungen," in *Treue: Politische Loyalität und militärische Gefolgschaft in der Moderne; [… die Ergebnisse einer Tagung, die im April 2005 in Blaubeuren … zum Thema "Treue bis in den Tod: Politische Loyalität und militärische Gefolgschaft in der Moderne" abgehalten wurde]*, ed. Nikolaus Buschmann and Karl B. Murr (Göttingen: Vandenhoeck & Ruprecht, 2008), 31; Martin Schulze Wessel, "'Loyalität' als geschichtlicher Grundbegriff und Forschungskonzept: Zur Einleitung," in *Loyalitäten in der Tschechoslowakischen Republik: Politische, nationale und kulturelle Zugehörigkeiten*, ed. Martin Schulze Wessel (Göttingen: Vandenhoeck & Ruprecht, 2004), 10–11; Max Weber, *Wirtschaft und Gesellschaft: Grundriß der verstehenden Soziologie* 1. Halbbd (Tübingen: Mohr, 1976), 16.

power foreign to their immediate master. Moreover, despite the recent emphasis on reciprocity, loyalty presupposes asymmetrical relations, which might be one-sidedly misconstrued to limit human will. Interagency helps to model the aspects of loyalty that extend human potential and free will, framing available choices while dependents anticipate requirements of the distant master.

There are three major kinds of sources on loyalty beyond the elite in Muscovy: oaths, petitions in general and the category that will be discussed in this chapter: petitions for remuneration of ransom and captivity.[94] The latter is a peculiar source for several reasons: the petitioners argue with loyalty forthrightly—although in different words. These captives had lived beyond the immediate sphere of influence of the tsar, usually for quite a long time. Many were sold in Black Sea harbors or on slave markets in the Caucasus or Central Asia to owners who might reside even farther away. In most cases, there is an active decision to return to Muscovy, with loyalty to the tsar behind it, thus agency cannot be denied.

This begs the question what captives did while they lived with their masters most often in Muslim households, whether they dropped loyalty to the tsar and hope to return or aimed to integrate into the societies into which they had been brought. At the very least, such were the questions on the minds of contemporaries in England, the Habsburg lands or Italy when they were confronted with slaves who returned from beyond the Mediterranean or the Ottoman Empire after many years. As scholars have rightly noted who compared narratives of slavery from these areas to those of Muscovy, they are laconic and contain few of the detail that one finds in their Western cousins. The latter were written to satisfy the curiosity of a partly academic public, often to be published, and they answered to increasingly elaborate questionnaires developed by the budding science of ethnology. Only a few, mostly longer Muscovite accounts of captivity have been analyzed, and their structure and contents are in some respects different from those in the early modern Atlantic and Mediterranean areas.[95]

Agency and loyalty, rather than the comparison of genres as a heuristic principle for the purpose of this investigation allow a focus on the similarities in these accounts, which are beyond the superficial form of the narrative and its immediate contents. Similarities may be found more easily accessible in the

94 Anne M. Kleimola, "The Duty to Denounce in Muscovite Russia," *Slavic Review* 31 (1972): 759–79.

95 Davies, "Prisoner's Tale." See also Aleksandr Lavrov, "Captivity, Slavery and Gender: Muscovite Female Captives in the Crimean Khanate and in the Ottoman Empire," in *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860*, ed. Christoph Witzenrath, 309–19 (Farnham, UK: Ashgate, 2015); Aleksandr Lavrov, "Rapatriement, genre et mobilité sociale: la liste des captifs rapatriés de Crimée par Timofej Hotunskij (1649)," *Cahiers du monde russe* 57 (2016), 667–85.

functions performed by these narratives in their respective societies living in quite different conditions, in continental Eastern Europe and the Atlantic rim.[96]

While conditions in the eastern frontier regions of the Habsburg Empire were severe, they were unlike those of Muscovy and, more broadly, Inner Eurasia[97], not least in that there are no or very few documents concerning the views of peasants.[98] In many ways this virtual absence is connected to overall conditions in Muscovy. At least until the 1630s, peripheral areas of Muscovy with few exclusions must be regarded as frontiers in the sense that there were no clear border lines established beyond possession of fortified places, so that they could be invaded or often crossed unnoticed by small groups, offering fertile grounds for slave raids, brigandage and smuggling.[99] While areas around Moscow were largely safe from outside raids by the mid-17th century, many peripheral areas were not: Moscow's Siberian possessions remained a string of fortresses with some pockets of settlement until the Siberian fortified line was built between 1720 and 1760.[100] Although Muscovy and its Cossack proxies also engaged in external slave raids to some extent, it would be an exaggeration to say that the score was even in the way that recent investigations have found for Mediterranean Muslim-Christian frontiers.[101] On balance, then, Muscovy and much more so, Ruthenia, lost population due to slave raids. We might call it a competition for population and workforce, and as noted above, the means used in it were not limited to physical practices, but extended into the symbolical realm.

96 Don Ostrowski, "The end of Muscovy: The case for ca. 1800," *Slavic Review* 68 (2010), 426–38; David Christian, *A History of Russia, Central Asia and Mongolia* (Oxford, Mass.: Blackwell, 1998), xxi.

97 On delimiting this term, see Ostrowski, "The End of Muscovy;" Christian, *A History of Russia*, xxi.

98 See, Christoph Witzenrath, *Slavery, Redemption and Liberation in Russia, 1550s–1725*, forthcoming.

99 Davies, *Warfare, State and Society on the Black Sea Steppe, 1500–1700.* Early fortified lines existed south of Kazan' since the 1570s. See Romaniello, *The Elusive Empire.*

100 Igor V. Naumov, *The History of Siberia*, ed. David N. Collins (London: Routledge, 2006), 87. M. O. Akishin, *Rossiiskii absoliutizm i upravlenie Sibiri XVIII veka: Struktura i sostav gosudarstvennogo apparata* (Novosibirsk: Drevlekhranilishche, 2003), 9.

101 Jukka Korpela, ""… and they took countless captives": Finnic captives and the East European Slave Trade during the Middle Ages," in *Eurasian Slavery, Ransom and Abolition in World History*, 171–190; Davies, *Warfare, State and Society on the Black Sea Steppe*; Salvatore Bono, *Schiavi musulmani nell'Italia moderna, galeotti, vu' cumpra', domestici* (Napoli: Edizioni Scientifiche Italiane, 1999).

Political Theology of Slavery and Redemption

Loyalty and fidelity in the political realm are secularized theological terms. Even John Locke in his 1685 "Letter on Tolerance" considered loyalty without belief in God void, consequently in this view atheism dissolves all ligaments of society.[102] Constitutive is the biblical conception of loyalty and fidelity: the relation between humans and God is established by the covenant. Reciprocity is part and parcel of this relation, although it is asymmetrical—God remains true to his promise to save the people irrespective of their actions[103]—so people are (still) dependent, but from a different lord. Notions of this kind are relevant for the interface between reciprocal loyalty and interagency of dependent persons, as they regulated these exchanges.

Political theology in this sense was promoted in the early phase of Ivan IV's reign, before and after the conquest of Kazan. Usually the metropolitan of Moscow, Makarii, is held responsible for this, but one of the best sources for these campaigns, the *Chronicle of the Beginning of Tsardom* was clearly penned by someone in the close vicinity of Aleksei Adashev, if not by this close counsellor of Ivan IV himself who as administrator organized the Kazan' campaigns. The *Chronicle* insists repeatedly on the close connection between the tsar's legitimacy and liberation from captivity.[104] At the opening of the text concerning the campaigns against Kazan' during the 1550s, Ivan is portrayed musing about the liberation of captives in religious terms:

> Tsar … Ivan … saw the captivity of Christians, streams of Christian blood …, which are insupportable evils … at the hands of the Kazanians. … The honorable soul of our tsar, chosen by God, could not bear these penuries of … captivity, and he said to himself: "Merciful God [!] By the prayers of your pure mother, by those of the saints and our Russian miracle-workers I was put before these Orthodox lands and all people as tsar and shepherd, leader and ruler, to rule these people steadfastly …, guard them from all ills and hardships. Lord, help me and redeem [*izbavi*] your captured slaves [*plennykh rab*][105] from the heathens. For he is truly the good shepherd giving his soul for [his] sheep."[106]

102 John Locke and Julius Ebbinghaus, *Ein Brief über Toleranz [Epistola De Tolerantia; Engl.-Dt.]* (Hamburg, 1957), 94.

103 Carl Schmitt, *Politische Theologie* (München: Duncker & Humblot, 1922), 35. Schulze Wessel, "'Loyalität,'" 3–4.

104 See, Christoph Witzenrath, "The conquest of Kazan' as place of remembering the liberation of slaves in sixteenth- and seventeenth-century Muscovy," in *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860*, ed. Christoph Witzenrath (Farnham, UK: Ashgate, 2015), 295–308.

105 'Slave' here refers to the biblical reference of the believer to themselves in their covenant with God, whereas 'captured' underlines the notion of mundane captivity.

Reciprocity of obligations and terms in this political theology of redemption is established in metropolitan Makarii's letter. After a short, initial invocation he implores the Muscovite army to excel during the impending, decisive assault on Kazan:'

> [W]e pray for … the whole Christ-loving army of the Orthodox people, who battle for honor, and for the current campaign, [so that they may] stand up with God's help and your, tsar, valiant intercession … against your foes, the godless Kazan' Tatars, your traitors and deserters, who have always spilled innocent Christian blood … And therefore, it befits you and … your whole Christ-loving army to raise arms with God's help for … all Orthodox Christians who were led into captivity not by their own fault, and [who were] robbed and tormented by them and defiled by manifold [foul] passions.[107]

Makarii continues to motivate the soldiers by evoking images of captivity and liberation that lack all traces of agency, referring to Joshua and the fall of Jericho. He implores the army to behave virtuously, evade temptation and be artful in battle in order to win empire, which he promises by quoting a passage from the biblical book of Isaiah about the liberation of Israel from Babylonian captivity by the armies of the Persian king Cyrus.

From his musings about Muscovy as New Israel and about requisite morals, Makarii jumps a few centuries of salvation history. He next presents a New Testament passage closer to the image of the Christ-emulating ruler who liberates his flock evoked at the start of the Chronicle's narrative about the defining early Muscovite conquest of Kazan:

> And if anyone from among the Orthodox Christians should suffer to the blood during this strife for the holy Church … and for the multitude of the Orthodox people and survives, [so] they will truly cleanse themselves through their spilled blood from earlier sin and … to boot they will not only receive from God tangible benefits in this life, added lifespan and painless living, but also will receive remuneration in the beyond. If anyone … suffers death for … Orthodox Christianity and for the plenitude of Orthodox people, they will be redeemed by Christ from the torments of hell by His honorable blood. [Therefore,] measure up to Christ's word: "Greater love hath no man than this, that a man lay down his soul for his brother."[108]

106 "Letopisets nachala tsarstva tsaria i velikogo kniazia Ivana Vasil'evicha", in *Polnoe sobranie russkikh letopisei* 29 (Moskva: Nauka 1965), 59–60. Muscovite Orthodoxy claimed that Muslims made sacrifices to God.

107 "Letopisets nachala tsarstva," 86.

108 "Letopisets nachala tsarstva," 86–89. This quote still adorns modern day books on military chaplaincy. See Dilenschneider, Robert L., n.t. [Donator's preface], in Doris L. Bergen, *The Sword of the Lord: Military Chaplaincy from the First to the Twenty-First Century* (Notre Dame, Indiana: Notre Dame UP, 2004), exchanges "life" for "soul."

The last sentence, freely adapted from the Gospel of John 15—where it refers, of course, to Christ, was originally applied to the Byzantine bishop's duty to ransom captives evolving from the eighth century.[109] The bishop's obligation to care for his flock was transferred to the ruler in the Missive to the Ugra, which was written by disciples of the Roman cardinal and, until Ottoman conquest, Greek Orthodox metropolitan of Nicaea, Bessarion. Bessarion promoted the common defense from the Ottomans facing the inner divisions of European rulers, a task that took more than his lifetime to see results.[110]

The elite was at pains to portray subjects and Orthodox slaves in Muslim areas as, justly or not, loyal to the cause of Orthodoxy and liberation. The *Martyrdom of Ivan*, by all appearances invented by commission of Makarii in 1551 or 1552 and included in his collection of authoritative documents, the *Great Menology*, underscores this interpretation: the slave 'Ivan' from Nizhnii Novgorod is beheaded in Kazan by his master, the khan's uncle, for refusing to convert to Islam. In a bizarre interpretation of agency, he miraculously manages to put his head back on his neck in the chill of night, walks away—unintentionally reminiscent of Klaus Störtebecker's execution narrative—and finally saves himself from slavery by reaching the tsar's army. He dies a martyr's death after a night of preparation for the afterlife in the security of a Muscovite town.[111]

Martyrdom was thus not restricted to the tsar's soldiers but could be extended to captives. The icon *Church Militant* or *Praised be the Army of the Heavenly Tsar* was painted shortly after the conquest of Kazan' and placed near the tsar's throne. It depicted an army returning victoriously from the burning city to Heavenly Jerusalem who received martyr's crowns. This army may well have been perceived as containing the '60,000'—meaning a large number in medieval parlance—former slaves at Kazan' who registered with the army commanders.[112] This interpretation concurs with the illustrations in the throne room's ante room, where Joshua led former slaves to conquer the Promised Land, or, as inscriptions state, the "mountain and low land", citing the chronicle description of the Kazan Khanate.[113]

109 Youval Rotman, *Byzantine Slavery and the Mediterranean World* (Cambridge (Mass.): Harvard College, 2009), 177.

110 M. B. Pliukhanova, "'Poslanie na Ugru' i vopros o proiskhozhdenii Moskovskoi imperskoi ideologii," *Trudy otdela drevnerusskoi literatury* 61 (2010): 452–489.

111 Jaroslaw Pelenski, *Russia and Kazan: Conquest and Imperial Ideology (1438–1560s)* (The Hague: Mouton, 1974), 276–78; David B. Miller, "The Velikie Minei Chetii and the Stepennaja Kniga of metropolitan Makarii and the origins of Russian national consciousness," *Forschungen zur osteuropäischen Geschichte* 26 (1979): 301.

112 "Letopisets nachala tsarstva", 66.

113 I. A. Kochetkov, "K istolkovanii ikony 'Tserkov voinstvuiushchaia' (Blagoslovenno voinstvo nebesnogo tsaria)," in *Trudy Otdela drevnerusskoi literatury* (Leningrad, 1985): 206; Ivan

Simeon Polotskii, the Kievan-educated teacher of the children of Tsar Aleksei Mikhailovich, wrote a poem explaining martyrdom in which he referred to the obligations of the ruler to care for their subjects, especially captives. In Polotskii's poem, following Baroque literature, slaves suffer at the hand of the sultan who is illicit as care for his subjects and slaves is less important to him than curiosity and striving for knowledge symbolized by the apple.[114] Polotskii changed the Latin original to include a line saying that the three young men—or slaves, depending on translation[115]—were "of the honorable gens", in other words, the Muscovite New Israel.

There are thus two acceptable modes of dealing loyally with captivity in Orthodoxy—either to fight the Turks boldly and bravely; or, suffering bodily in captivity, giving the emperor his due, living by Moses' law, remaining in the grace of God and the Orthodox faith. Thus, it was not automatically required to demonstrate or evidence loyal agency.

Petitions of Returning Slaves and Captives

Muscovite legislation sought to reciprocally advance the interests of loyal captives. The *Ulozhenie* code of laws of 1649, collecting and confirming earlier rules, made provision for a captives' tax:

> … so that no one will be omitted from that cash levy because such ransoming is a common act of mercy. The pious tsar and all Orthodox Christians will receive great recompense from God, as the righteous Enoch said: "Do not spare gold and silver for your brother, but redeem him, and you will receive a hundred-fold from God."[116]

Both the Hundred Chapters Synod of 1551 and the code of laws underline that these ideas were widely distributed among the population: until the early 19th century, this remained the only code of law, and the only basic collection of laws commonly available in all provincial courts, printed in its first edition with the remarkable press run of 2,400 copies.[117]

Zabelin, *Domashnii byt russkikh tsarei v XVI i XVII stoletiiakh*, kn. 1, (Moskva, 1990), 155–56.

114 Simeon Polotskii and Anthony Hippisley, eds., *Vertograd Mnogocvětnyj*, vol. 2: Bausteine zur slavischen Philologie und Kulturgeschichte (Köln: Böhlau, 1999), 385.

115 Fasmer, *Etimologicheskii slovar'* (1971):172–73.

116 Richard Hellie, *The Muscovite Law Code (Ulozhenie) of 1649; Pt. 1* (Irvine, CA: C. Schlacks Jr, 1988), pt. I, 17; Hans Hecker, "Die Christenpflicht als Rechtsnorm" in *Geschichte Altrusslands in der Begriffswelt ihrer Quellen: Festschrift zum 70. Geburtstag von Günter Stökl*, 156.

117 Art. 'Ulozhenie' in *Encyclopedia of Russian History*, ed. J. Millar (London: Thomson-Gale, 2004), 828–31.

Petitions for recompense come in two varieties: some are very pragmatic, usually short and secular, while many others include some sort of reference to religious notions. As noted above, these ideas are far from the elaborate references to biblical stories in the narratives of captives who sought to justify themselves in the Habsburg Empire or England. Mostly they just quote or allude to these ideas almost obliquely, however, unmissable.

The typical petition of a returning captive who had been a military servitor of the tsar included a section detailing his services and the moment and way in which he was captured. Coincidence with a battle during which captives were taken or a narrative that stressed the sudden and forcible manner of capture helped the claim. In most cases, such details were checked against existing records and the chancellery clerks came up with either confirmation or they might find that normally existing records had been destroyed due to the exigencies of war. If no corroboration was found and the claim seemed dubious or, as in the case of a Polish soldier who had stranded in Moscow after leaving slavery through the Caucasus route, the claim was left without remuneration. To be able to claim compensation was linked to loyal service or at least the ability to claim such loyalty, or simply a formal ability to claim Orthodoxy or subjecthood, irrespectively of how actual behavior in captivity had evolved. Those who successfully claimed loyalty could expect beyond compensation to be reinstated in their service ranks, providing some livelihood. Like trust, loyalty reduces social complexity. From both the perspectives of the giver of loyalty and the ruler this was an essential function of loyalty.[118]

While peasants and Tatars serving the tsar were allowed into the simpler category of those who endured captivity, some of the military men were more forthright in claiming martyr status. Thus, Aleksei Martynov son Elagin from Solovetsk applied to the Military Service List Chancellery for an icon citing that "I have for many years tormented my body on the galley … give compensation for my needy endurance of captivity."[119] He confirmed the Orthodox view that it was more important to loyally preserve Orthodoxy in thought and soul than by outwardly serving the tsar in captivity.

Some captives used more overt references to religious symbols and concepts. Former captives who asked for icons amounted to a curious fashion during the reign of Fedor Alekseevich (r. 1676–82). Tsar Fedor ventured in February 1679 to strengthen his main public virtue as a ruler, piety, by an edict ordering to paint "300 icons without frame" for returning slaves.[120] The same folder of the Military

118 Wessel, "'Loyalität,'" 11–12; Rudolf Richter and Eirik Furubotn, *Neue Institutionenökonomik: Eine Einführung und kritische Würdigung* (Tübingen: Mohr, 1996), 176.

119 RGADA f. 210 d. 791 ll. 85–85ob.

120 RGADA f. 210, d. 791, l. 60.

List Chancellery's archive contains a range of petitions asking for icons, some asking in general terms "according to our brethren," while others demanded to be given specific icons. St Nicholas of Mozhaisk was especially in demand.[121] In Muscovy, St Nicholas enjoyed a particular career, highlighted by dedicated wooden sculptures since the 16th century which were only allowed to high profile saints.[122] His image appears strongly influenced by the lens of the frontier and trans-cultural migration, since the basic story of the saint who liberates slaves and those unjustly imprisoned was rather specific to Orthodoxy. It was highly developed in his Muscovite vitae: more than 600 individual stories entwining around Nicholas are currently known; most of them contain the subject of liberation. Some of them even have Nicholas liberate nomads from Rus' captivity, but with a slant of miraculously preserving the ransom interests of their former owners, they are inclusive of 'good', properly acting foreign captives.[123] Combined with the evidence of petitions citing St. Nicholas and the widespread sculptures—unusual for Orthodoxy and therefore germane to commonly held values—these are an uncommonly direct way to widely held notions of Muscovite religiosity, and approaches to captivity. In the widespread Mozhaisk posture, the saint holds a sword high up in the air. Despite appearances, military images of saints are virtually unknown in Orthodoxy and this applies even more to the ideal bishop. The only pertinent type of stories in the saint's vitae has him appear unexpectedly behind the executioner wresting the sword from his hand an instant before the captives are killed.[124] As might have been expected of a bishop, the imagery therefore is not primarily military, but redemptive. The trans-cultural stance in his vitae made him appealing to foreign migrants.

It would be erroneous to limit religious motifs in returning captives' petitions to Fedor's short reign, as other Romanov rulers were no less devout. During Mikhail's reign a Greek appeared in Moscow with an almost unlikely story full of distress and agency to collect alms in order to ransom his relatives in Rumelia. The peasant[125] Evstafii Kostiantinov from Ianin [the *sanjak* Ioannina] in Rumelia had clashed with a powerful man and suffered reprisals. His account, the patriarchs' recommendations and the investigation in the foreign chancellery cover

121 RGADA f. 210, d. 791, ll. 48–48ob, 68, 70, and 73.

122 Marianne Stößl, ed., *Verbotene Bilder: Heiligenfiguren in Russland* (München: Hirmer, 2006).

123 For details see Alexander P. Boguslawski, "The vitae of St. Nicholas and his hagiographical icons in Russia," (PhD diss., University of Kansas, 1982). I am analyzing these individual stories in a separate paper.

124 Stößl, *Verbotene Bilder*; Boguslawski, "The Vitae of St. Nicholas."

125 According to the patriarchs, he was a '*krestianin*', '*kr[e/i]stiianin*,' while Serbenin called him '*khristianin*'; both might refer to Orthodoxy but the former might also indicate a peasant. He pretended to be a merchant or townsman '*posadtskoi chelovek*': RGADA f. 52 1640, No. 1, 15 October, ll. 1, 8, 13, 18.

over 27 folios. On the road from Istanbul he and his brother drove sheep from the winter hut to their village Kalarita when a group of Turks passed by. Evstafii's petition mentions that they quarreled and Aslan pasha's relative seized his nephew. The patriarch's letter put a different spin on Evstafii's tale, noting that the travelers were "led by the devil, who always hates the Christians … and those Hagar sons[126] saw his [nephew] and they lewdly desired him. They seized him by force and wanted to convert him."[127]

It is impossible to determine the original motivation, even the exact events from the Moscow holdings, whether this could be a *devşirme* recruitment gone wrong, or was based on previous disagreement, or plainly criminal. However, the situation was promptly out of control: "[His] brother wanted to defend his son and fought with them. He killed four Turks and one Greek."[128] The patriarch's letter, however, concealed the Greek and preferred to speak of five persons killed. Evstafii continued in the interview:

> In return, the relative of Aslan pasha destroyed all of [our] houses and stole [our] belongings. He took [my] brother and two young daughters captive. One of [Ostashka's] nephews fled to the Meteor monastery. Later, the men of Aslan pasha's relative arrested [me] and captured [my] wife, four sons and daughter. Now they demand ransom for [my] sister-in-law and the two daughters, in Russian currency 280 rubles. For [my] wife and children, altogether six persons they demand 750 rubles.[129]

Ever since his brother's attempt to defend his son, Evstafii appears entirely reactive. He was taken captive along with his entire family and made to look for a staggering sum of ransom. Whose idea it was to travel to Moscow is unclear. He remained a captive although he was sent out to gather ransom, since his family was held hostage, as the patriarch underlined: "[Evstafii] gave 100 rubles to those Hagar sons but could not pay up. They set a deadline of three years. If he won't pay in full within three years, they will convert those nine souls. In order to find some aid …, they have turned to you, merciful and mighty tsar for alms."[130]

Within this framework, Evstafii deployed his project to secure his family. He seemed too grow with his task. In the following lines, however, it transpires that such an undertaking was impossible without backing and a web of supporters sustaining his increasing agency:

> When [I] had found the remaining nephew, who came with [me] to Moscow, [we] went to Istanbul and bowed to patriarch Kirill so he might give [us] a letter to the ruler [of Muscovy] since [we] wanted to travel to Moscow for alms. The patriarch gave [us] a

126 Here in the sense of Muslims or "slavers," see Witzenrath, *Slavery, Redemption.*
127 RGADA f. 52, 1640, No. 1, 15 October, l. 8.
128 RGADA f. 52, 1640, No. 1, 15 October, l. 1.
129 RGADA f. 52, 1640, No. 1, 15 October, l. 2.
130 RGADA f. 52, 1640, No. 1, 15 October, l. 10.

> letter to the tsar and another which said that everyone should aid [us] due to [our] destitution. The next day the patriarch was taken by the guards and died soon after. [We] travelled from Istanbul to Wallachia where [I] fell ill due to exhaustion for three months. The son of [my] sister in Istanbul[131] incited the new patriarch [named again] Kirill to send another letter addressed to all people of Wallachia for alms. In Wallachia the Greek Dmitrei Serbianin gave [me, Ostashka] a letter to the Hetman in the Lithuanian lands and told [us] how to proceed.[132]

This letter was translated from Greek, dated 16 October 1640; it contained a recommendation to "my Godfather, Hetman Kostin" without any further data on the location.[133] This could not be an official Polish-Lithuanian crown hetman or hetman of the register Cossacks, as the latter rank had been abolished after the rebellion of 1636–38.[134] Therefore, this little known hetman was one of the elected ranks during the "Golden Peace" supplanting official hierarchy.

An entire network of supporters sprang into action and accounts for the journey of a herdsman from a distant village, part of which is the monastery whose sheep were among the losses. This network encompassed the patriarch at Istanbul as well as intermediaries in Wallachia and in the Hetmanate in what is now the territory of Ukraine east of the river Dnipro. His sister stepped up when he lay ill in Wallachia, indicating that the herdsman may have been better connected in Istanbul than his lowly origin seemed to befit. Moreover, as the last sentence above shows, this network may have furnished him with directions on how to beat the Muscovite border controls, as we will see. Up to this point of Evstafii's travels and toils, it transpires that he would not have been able to overcome distance and the hardship of travel without this network; the captives acted in interagency with a good number of previously unknown people.[135]

Evstafii's network was not restricted to human nodes. Beyond inanimate things he also drew on immaterial beings and values which became necessary when their further journey stalled:

> From Kiev [we] went to Putivl [Muscovite border post], where [we were] not allowed to continue to Moscow. [The governor] gave [us] a seal [ed letter] for the Svinskii monastery. At the monastery [we] were rejected and told to return to Putivl, whence [we] were sent back to the Lithuanian border. [We] marched six days back to the [river] Dnipro. When we arrived at the river crossing, we asked the ferrymen to take us across the river, but they cried that they had already taken someone to the other side and were about to go to sleep. During that night a man on a horse approached [us], sat us behind

131 "Tsargorod": 'Tsarcity', Constantinople/Istanbul.

132 RGADA f. 52, 1640, No. 1, 15 October, ll. 1–2.

133 RGADA f. 52, 1640, No. 1, 15 October, ll. 18–20.

134 Carsten Kumke, *Führer und Geführte bei den Zaporoger Kosaken: Struktur und Geschichte kosakischer Verbände im polnisch-litauischen Grenzland (1550–1648)* (Berlin: Osteuropa-Institut, 1993).

135 Schiel, Schürch, and Steinbrecher, "Von Sklaven, Pferden und Hunden."

> him and delivered [us] to Putivl in that very same night. He told [us] not to hold off and go to Moscow without further delay. We [Evstafii and his nephew] thought that it was St. George the miracle worker who had shown mercy. No ordinary man had treated [us] in this way. From Putivl [we] continued to Moscow with a herd driven to market by merchants. [We] walked from Putivl to Moscow in about five weeks and asked for alms along the way. Once [we] will have collected alms in Moscow [we] will return to [Istanbul] to ransom [our] captured relatives.[136]

Evidently, many Muscovites were of two minds about Evstafii's tale. To claim ransom from coreligionists he and his nephew had to overcome the Muscovite border regime, where every post feigned not to understand or turned them down and sent them from one to another, and to the Svinskii monastery. When all attempts had failed and they had travelled back two days to the Dnepr crossing, that night he claimed he had an appearance of St. George, who transported them miraculously on horseback to the Putivl border post again and advised to go to Moscow "without delay." This part of his account raised concerns in the chancellery. They asked him pointedly how he had managed to get by the town governors, which way he had taken, and why there were no reports about the two travelers from the town governors along the way from Putivl. Kostiantinov answered that they had journeyed concealed among fellow herdsmen ushering sheep to Moscow. The journey with the muttons was not devoid of religious significance. As seen above, Muscovite rulers claimed to defend and secure their loyal "herd of Christian lambs" especially from captivity. Despite his support network, he claimed that he did "not know Muscovite rules and therefore failed to report to the offices of the town governors along the way."[137] Loyalty was evoked in hindsight, so it was to some degree open to interpretation, offered interstices to maneuver if one knew the frame of expectation.

Once he had made his way to the border post at Putivl, Evstafii seems well appraised of ruses to overcome the border regime. Alms seekers did not normally proceed to Moscow, as the border rules usually were obeyed.[138] When he was turned down, he reacted by enlisting immaterial thaumaturgical forces among his declared network along with human supporters, which enhanced Evstafii's interagency a great deal.[139] The icon of St. Nicholas listed among his possessions at his death indicates that this part of his story made an impression upon Muscovites. Precondition for such an effect was clear knowledge of Muscovite religious and political ideas.

Once in Moscow in the chancellery, he was questioned but not tortured, received some money and confirmation of their status as alms seekers for ran-

136 RGADA f. 52, 1640, No. 1, 15 October, l. 3.
137 RGADA f. 52, 1640, No. 1, 15 October, l. 7.
138 RGADA f. 52, 1638, No. 2, ll. 1–4.
139 On non-human network nodes, see Latour, *Reassembling the Social.*

som. Although they persistently beseeched boyars, chancellery staff and monasteries, especially the renown St. Sergius monastery north of Moscow, according to the register of Kostiantinov's possessions kept in the chancellery they did not receive more than 130 rubles, "two sables and icons, one of St. Nicholas." Besides clerics it was the secretaries of the chancelleries and the Greek interpreter Gregor Misiurkin rather than boyars who contributed to their collection, as Kostiantinov underlined in his petition.[140] Evstafii was exhausted and died. His nephew returned to his home village with this sum, in the charge of yet another Wallachian on 25 April 1641. Kostiantinov's nephew Nikos Iur'ev declared that this Wallachian, Afonas'ei Ivanov, 'knows my parents.'[141] The ransom he took back to his home was substantial for a Muscovite compensation for captivity, yet meagre in comparison to the required 750 rubles.[142]

Kostiantinov's nephew Nikos Iur'ev declared that this Wallachian, Afonas'ei Ivanov, "knows my parents."[143] Whether or not this contradicts Kostiantinov's assertion to the suspicious chancellery clerks is not clear. They asked "whether he knows in Moscow among the [re-]baptized Greeks and Turks anybody" who could help him. His answer was that his "hometown was even far from Istanbul [Tsargrad] in the opposite direction of Moscow, so he does not know anybody in Moscow."[144] In another petition Ostaf'i Kostiantinov asked for winterproof clothes, suggesting that he was not well appraised of conditions in the north or at least not well prepared.[145]

These folios irresolvably combine trickster story elements with full impromptu and harrowing tales that raise questions why Kostiantinov did not turn to the Ottoman courts. Some slaves did so to establish wrongful enslaving, since *reaya*, Christian Ottoman subjects who paid taxes could not be legally enslaved. However, success in the courts might depend on the ability to establish that slaves were free-born, confirmed by Muslim witnesses.[146] Evstafii might not have access to such witnesses, or, it was likely that his powerful adversaries made sure nobody would come forward on his behalf. Any evaluation of Evstafii's and the patriarch's account is fraught with the absence of corroborating evidence. The Muscovite archives are the likely place for records of negative examples of Ot-

140 RGADA f. 52, 1640 [-1641], No. 1, l. 23.
141 RGADA f. 52, 1640, No. 1, 15 October, l. 25.
142 RGADA f. 52, 1640, No. 1, 15 October, ll. 3, 20–27.
143 RGADA f. 52, 1640, No. 1, 15 October, l. 25.
144 RGADA f. 52, 1640, No. 1, 15 October, l. 20.
145 RGADA f. 52, 1640, No. 1, 15 October, l. 21.
146 Nur Sobers Khan, *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: Klaus Schwarz Verlag, 2015), 46. Charles L. Wilkins. "A Demographic Profile of Slaves in Early Ottoman Aleppo," in *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860*, ed. Christoph Witzenrath (Farnham, UK: Ashgate, 2015), 233.

toman enslavement practices, but also for plain exaggerations. The tragic events suggest that members of the protected *reaya* could be enslaved by provocation, taking advantage of legal loopholes. However, the price paid in human lives by the slavers demonstrates the considerable risks taken by such an approach. Kostiantinov's story suggests that acts of self-defense were rare, either because court action promised better results or retribution was swift and effective. Rebellion was suppressed by mass enslavement still in the early 19th century.[147]

The network Kostiantinov used to make travel arrangements shows a considerable level of organization and sophistication. Spun by the Greek Orthodox church to ask the tsar regularly for alms paying for the fees due to the sultan for every selection of new patriarchs, its services were also made available for prisoners seeking ransom.[148] This network's pull on the likes of Kostiantinov extended the influence of Muscovite imperial culture well into the center of the Ottoman Empire. Remarkably, such interagency was far beyond Moscow's contemporary political and military ambitions documented during tsar Michael's late reign, having just recovered from the devastating Time of Troubles and defeat in the 1632–34 Smolensk war.

Evstafii seemed well versant with elements of Muscovite popular redemption culture, such as the odd concoction of St. George and St. Nicholas, who indeed acted together in Russian legends of captive liberation. However, usually the latter was in charge of transcending the time-space continuum.[149] Thus, Evstafii's knowledge about Muscovite saint legends was limited at best.

During the initial interview at Envoy's Chancellery, Kostiantinov readily divulged news about the Ottoman Empire. Among others, he reported that the Venetian navy had sunk most of its Ottoman counterpart; as the Greeks at Kyiv opined, there would be no Ottoman galleys in Azov that year for they had none left.[150] With such statements Kostiantinov aimed to demonstrate loyalty to the tsar serving him as a spy within the limitations of his abilities. He potentially compromised any residual status as subject in the Ottoman Empire, if such became known. Trans-imperial interagency of slaves operated in a charged field of tensions discounting loyalty to one patron for that to another.

147 Lucien J. Frary, "Slaves of the Sultan: Russian Ransoming of Christian Captives during the Greek Revolution (1821–30)," in *Russian-Ottoman Borderlands: The Eastern Question Reconsidered*, ed. Lucien J. Frary and Mara Kozelsky (Madison: The University of Wisconsin Press, 2014), 101–30.

148 Ekkehard Kraft, *Moskaus griechisches Jahrhundert: Russisch-griechische Beziehungen und metabyzantinischer Einfluss 1619–1694* (Stuttgart: Franz Steiner Verlag, 1995); Borys A. Gudziak, *Crisis and Reform: The Kyivan Metropolitanate, the Patriarchate of Constantinople, and the Genesis of the Union of Brest* (Cambridge: Harvard University Press, 1998).

149 Boguslawski, "*The vitae of St. Nicholas.*"

150 RGADA f. 52, 1640, No. 1, 15 October, ll. 6–7.

Evstafii Kostiantinov combined the simplicity of statement about the initial attack with a shrewd approach to the Muscovite border regime and limited or random knowledge about his new environment. Likewise, his death makes a trickster or intermediary go-between approach to Muscovite ransoming culture at least less likely. He seems almost naïve to the point of self-harm when he mentions the Greek killed by his brother among the entourage of Aslan pasha's relative. Due to this internal evidence his account cannot be easily dismissed despite the apparent element of invention in travel episodes close to Moscow, lack of independent corroboration and distance from eastern Anatolian frontiers as a region in which bandits were often reported.

Conclusion

Evstafii Kostiantinov used and extended a far-flung network to obtain his aim, sufficient funds to ransom his family. The network nodes consisted of people, artefacts such as letters, recommendations as well as daily allowances in Moscow, and knowledge about local perceptions of thaumaturgical intervention allowing to transcend the Muscovite border without appearing as an illegal intruder. Often, his moves appear not overly sophisticated. Nevertheless, his knowledge about trans-imperial religious perceptions helped him disproportionately appearing loyal rather than as a spy during interview in the chancellery. This knowledge may have improved during his stay in Wallachia or travelling through Muscovy with fellow traders in sheep. Despite such heightened levels of agency, his actor project increasingly defining his life until death was determined by the slave master of his family.

John Robb has recently alerted not merely archeologists to the fact that the archeological record—and great parts of historical archives—are "not so much about economy or 'social structure', but about people choosing to plan and performing, often over years, some task, which also defined them, their knowledge and abilities and their relations with others socially, which changes them."[151] Agency, in this sense, is Kostiantinov's ability to act to some effect in the particular context, i. e. the field of action of ransoming and the superordinate doxa of Muscovite imperial culture, itself related to Orthodox Christian and steppe beliefs. Kostiantinov's agency, in this regard, may be evaluated by the extent to which his project was bundling together, overlapped and cohered with the life projects of others, consequently leading to social reproduction. First, he was able to overcome the Muscovite border, an early separator of in- and out-group. Once in Moscow, he negotiated social boundaries, which in early modern settings

151 Robb, "Beyond Agency," 512–13.

could be much more exclusive and closely observed than state boundaries.[152] Nevertheless, in terms of ransoming as social reproduction there remains a gap which is palpable in his abortive death, the reluctance of boiars to donate to his ransoming project and the final differential between donations and required ransom for Kostiantinov's family. Robb reminds archaeologists and historians that

> [i]ndividual actions are often less embedded in habit, time and space; though often habitual, they are readily learnt and unlearnt; they can represent meaning on the spur of the moment. This is the level of context-specific manoeuvre, tactic, strategy, practice and performance, discursively understood … How can a ritual utterance be striking without breaching the limits of sanctity?[153]

Kostiantinov had to represent meaning tactically, varying doxic beliefs to accomplish his intention. To do so, he paid some attention to the ramifications of usual Muscovite ransom practice and doxa. Returning captives in any but the bottom ranks needed to demonstrate loyalty according to their capabilities. Ransom compensation and restoration to former ranks depended on such statement. Whereas early modern statements of loyalty usually only had consequences for their position in community, as in the royal entry, for former slaves returning to Muscovy they had direct, palpable and essential meaning.[154] As any institution, loyalty could only be claimed in hindsight, for which returnees had to brush up their twisted paths of life according to Moscow requirements. In most cases, this meant to omit any dubious details, for which there could be many prompts, as survival in conditions of interlaced interagency of master and slave required. The active decision to return could already be enough of a proof of loyalty, since the cosmopolitan Ottoman Empire was hugely attractive to most captives, and upward social mobility strongly developed among slaves, although not without certain pitfalls. In particular, the loss of patronage and interagency due to death of owner could be a strong spur to return to Muscovy. Some sought to take timely precautions should this come to pass. This meant that they broadened their networks and used accessible resources to build up relations with patrons beyond their immediate reach as slave. Such extended, often veiled interagency with more than one master or patron which culd be construed as loyalty might be seen as insurance against the pitfalls of life as a slave. Moreover, some slaves were—despite contrary customary expectations—persistently sold on without manumission and in this group, they often had to deliver menial duties. Interagency for them was mostly limited to their former master, the tsar.

152 Bade, Klaus J. et al., eds., *The Encyclopedia of European Migration and Minorities: From the Seventeenth Century to the Present* (Cambridge: Cambridge University Press, 2011), xxviii.
153 See Robb, "Beyond Agency," 501.
154 See Wessel, "'Loyalität,'" 11.

The main way in which they proved loyalty was therefore that they recited their services to the tsar and explained how they had succumbed to captivity. These were the two main characteristics checked by the chancellery deciding about reinstatement, compensation and, in a few cases, promotion for having undergone captivity.[155]

Propagandists of empire as in the time of the Muscovite conquest of Kazan' in 1552 utilized such figurations in which limited interagency reduced to the master-slave dyad was perceived as unjust or bereft of social and life perspective. Kostiantinov was one among several cases in which enslaved outsider co-religionists—that is, Orthodox, but not Russian or at least eastern Slavic—applied for compensation for ransom. This placed them in a very specific spot to demonstrate their loyalty. In Kostiantinov's case, this involved first to surmount the Muscovite border, one of the earliest demarcated and policed borders, even in European comparison.[156] A major rationale was to keep out stray slave raids and reconnaissance, which justified vast resource allocations.[157] Central chancelleries traced border traffic especially if a foreigner appeared before a clerk claiming ransom. Since Kostiantinov had not called on any town governor as required, there was no archival trail. Therefore, he had to come up with a version nobody dared contradict that reconciled Muscovite ransom and liberation culture with circumnavigating border controls vital for its practical implementation—and he did so. Thaumaturgical interagency transcending space and time was thus central to his application to the envoy's chancellery for ransom relief.

Since at least the reign of Ivan IV, the obligation of the tsar to ransom all Orthodox and especially his military servitors was a major aspect of reciprocity in relations with loyal subjects; the *Ulozhenie* of 1649 codified this in secular, dual[158] law, but in religious terms copied from the Hundred Chapters Synod (1551).[159] Interagency and a sense of entitlement resting on proven loyalty was thus a far greater element in relations between tsar and loyal subjects than accounts would admit that take autocracy as a form of government at face value, in which the tsar rules unrestrictedly and tyrannically, although Muscovy was chronically un-

155 Witzenrath, *Slavery, Redemption.*

156 Brian J. Boeck, *Imperial Boundaries: Cossack Communities and Empire-Building in the Age of Peter the Great* (Cambridge: Cambridge University Press, 2009).

157 Davies, *Warfare, State*; Romaniello, *The Elusive Empire.*

158 A boiar commission codified the *Ulozhenie* reacting to the great Moscow rebellion of 1648–49 and included basics of chancellery law, rules set autonomously in the chancelleries: Christoph Schmidt, *Sozialkontrolle in Moskau: Justiz, Kriminalität und Leibeigenschaft; 1649–1785* (Stuttgart: Steiner, 1996); Peter B. Brown, "How Muscovy Governed: Seventeenth-Century Russian Central Administration," *Russian History* 36 (2009): 459–529.

159 Hecker, "Die Christenpflicht."

dergoverned.[160] As the biblical rhetoric of God and slave in the New Israel narrative imply, and recent studies undergird, such reciprocity did not interfere with the rigid and arduous hierarchies and social pressure evinced, among others, in the highly Muscovite peculiar witchcraft litigation; it rather strengthened them.[161]

Cases such as the Greek Kostiantinov demonstrate that interrelations initiated by the reciprocal obligation of the tsar and the Orthodox believers incited hopes beyond the limits of the Muscovite Empire and even beyond its subjects, both current and former, despite realistic limitations of contemporary Muscovite imperial aspirations. Moreover, the Kostiantinov case among others shows that slavery produced in some cases conditions that served as an entry port for outside cultural interference in the wealthier and cosmopolitan Ottoman empire.[162] Conditions in which slavery was perceived as unjust or did not offer secure perspectives invited increasing investments in interagency and, therefore, less straightforward loyalty to the slave owner. Slaving aimed at heightened levels of loyalty, uni-relational interagency and power shifts in the local social matrix in favor of the master.[163] Ottoman legal safeguards for slaves worked towards such scenarios. Nevertheless, more arduous conditions in which some slaves were held, lack of life prospects and circumvention of legal protections such as in this case of the *reaya* tax-paying Christians produced just the opposite reaction.

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Gül Şen

Galley Slaves and Agency: The Driving Force of the Ottoman Fleet

Although galley slavery is one of the most absolute forms of asymmetric dependency structures, in the recent past it has not been an intensive area of research for evidence of slave agency. On the contrary, despite the fact that it reflects a prominent experience treated both in fiction and first-person accounts by captives working in the Ottoman fleet or for the Barbary corsairs in the Mediterranean during the 16th and 17th centuries, we still know very little about the actual situation of Ottoman galley slaves (generally called sing. *forṣā* or *forsa*).[1] Alongside some factual accounts, being captured by the "Turks"[2] and forced to work in the galley, then finally returning home usually appeared as a literary *topos* for centuries.[3] However, the dominant feature of the phenomenon

1 Originally an Italian term as many maritime terms in the Ottoman Turkish. See, Henry and Renée Kahane and Andreas Tietze, *The Lingua Franca in the Levant: Turkish Nautical Terms of Italian and Greek Origin* (Urbana: University of Illinois Press 1958), 228–30.

2 The term "Turk" was used as a synonym for Muslim. See Almut Höfert, *Den Feind Beschreiben: "Türkengefahr" und europäisches Wissen über das Osmanische Reich 1450–1600* (Frankfurt am Main: Campus, 2003), 180.

3 The most prominent and reliable sources are the German traveler Heberer (after 1623) and the travelogues of the Bohemian nobleman Wratislaw (1635): Johann Michael Heberer von Bretten, Aegyptiaca Servitus, intr. by Karl Teply, reprint (Graz: Akademische Druck- und Verlagsanstalt, 1967, which in turn is a reprint of the original from 1610), and Wenceslas Wratislaw, *Adventures of Baron Wenceslas Wratislaw of Mitrowitz*, transl. Albert Henry Wratislaw (Cambridge: Cambridge University Press, 2013) from the original Czech. Some other authors of this genre who became popular in the Early Modern Period did not even leave Central Europe, such as Grimmelshausen, who nevertheless wrote about his adventures of being captured several times and put on the oar. On the reliability of this kind of literature, see Gürkan's analyses of Lubenau's travelogue, Emrah Safa Gürkan, "50 Günde Devr-i Bahr-ı Sefid: Königsbergli Lubenau'nun Kadırgayla İmtihanı," *Osmanlı Araştırmaları/The Journal of Ottoman Studies* 43 (2014): 287–90 and 297–99. According to Gürkan, Reinhold Lubenau (d. 1631), who traveled in a delegation trip to the Ottoman Empire in 1587–88 and wrote a travelogue in 1628, added a fictional section about his voyage with the Admiral Uluç Hasan Pasha in the Mediterranean. Moreover, Lubenau copied verbatim from Seidel in the section about the *bagno* (prison) of the Imperial Arsenal, see especially 292–94. Reinhold Lubenau, *Beschreibung der Reisen des Reinhold Lubenau*, ed. Wilhelm Sahm, 2 vols. (Königsberg i.Pr.: F. Beyer, 1912–30).

hides the complex reality of the early modern Mediterranean world shared by all seafaring powers of the period. It is remarkable to discover that not only archival documents and the most comprehensive and prominent source of the Ottoman maritime history, Kātib Çelebi's (1609–57) *Tuḥfet el-kibār fī asfār el-biḥār* (The Gift to the Dignitaries Concerning Naval Warfare)[4] as well as almost all literary genres provide abundant evidence of galley slavery in its full complexity. The 17th-century counterpart to the *Tuḥfet* in the chronicle genre, the *Chronicle of Naʿīmā*,[5] written by the court historian Muṣṭafā Naʿīmā (1655–1716), devotes many pages to Ottoman naval affairs. In this work as well, the pivotal challenge appears to have been the recruitment of manpower for the oars. The continued expansion of the fleet created an ever-greater need for rowers to staff the ships. Therefore, the seizing of crews from enemy ships as slaves became one of the most valuable spoils of war frequently presented as gifts to dignitaries. Thus, considering their legal status, slaves were nothing more than chattel property. This chapter draws mainly on the rich material of the above chronicle but supplements it with further source material, asking whether and how galley slaves, who according to their legal status were not even human beings, possessed means of acting and discussing the circumstances and practices of galley slavery in the Ottoman fleet. This case study focuses on the potential traces of slave agency and questions the notion of total absence of agency in the mechanism.

How Useful is the Concept of Agency for Approaching Galley Slavery?

Today "agency" is a well-established concept in the study of asymmetric dependency mechanisms. It has proved to be a useful concept in social history. Criticism of the concept addresses the ambiguity of some terms employed. In particular, in his article on African slave agency, Walter Johnson criticizes the premise that scholarship equates agency with resistance. Johnson argues that the ambiguous definitions of "humanity" and "agency" leads to the questionable conclusion that the plain fact of a coerced "humanity" equals "opposition/resistance" to slavery; that in order to come to clearer ideas of "humanity," "agency," and "resistance," these categories need better separation and defi-

4 The work covers the history of Ottoman sea warfare up to the mid-17th century and was presented to Sultan Meḥmed IV. Among several available editions, see most notably Katib Çelebi, *Tuhfetü'l-Kibâr fî Esfâri'l Bihâr*, ed. İdris Bostan (Ankara, Türkiye Bilimler Akademisi, 2018).

5 Muṣṭafā Naʿīmā, *Ravżat el-Ḥuseyn fi ḫulāṣat-ı aḫbār el-ḫāfiḳayn. Tārīḫ-i Naʿīmā*, 6 vols. (Istanbul, Maṭbaʿa-i Āmire, 1281–83 /1864–66). I am currently preparing a monograph on this chronicle.

nition.[6] Since then, the scholarship of slavery studies has become aware that enslaved individuals, apart from exhibiting resistance, had quite a number of means of exerting their agency at their disposal. In his criticism of the same approach to the studies of maritime history and following Johnson's approach, Denver Brunsman studied the agency of British sailors who were forced to work on navy warships in the 18th century. Beyond mentioning their praiseworthy and particularly remarkable actions, he demonstrates the "humanity" of these seamen who developed from "forced men into productive men of war."[7]

For the purposes of this study, I argue that, while agency does include forms of resistance, be it silent or violent, the phenomenon itself implies a much broader spectrum than this narrow concept. With galley slaves, in an even more reductive sense, the prevailing assumption is the absence of any room for maneuver compared to other Ottoman dependency structures.[8] This assumption leads to the acceptance of the "social death" metaphor, originally coined by Orlando Patterson.[9] Hence, the issue of resistance naturally springs to mind as a form of agency. However, the sources examined in this chapter provide evidence for a wider scope of options than simple resistance; instead, it seems more productive to look at relations of asymmetric dependency. E. g. Ehud R. Toledano suggests to have a closer look at the voice and agency of the slave within the reciprocal relationship between the master and the enslaved,[10] i. e. the relationships between galley slaves and their immediate superiors, state authorities, and existing structures as well as the particular spatiality rooted in the conditions of naval warfare within the framework of contemporary social order. This highlights a "complex interdependence."[11] A closer look at the interdependence of galley slaves and the Ottoman fleet reveals characteristics of the given Mediterranean

6 Walter Johnson, "On Agency," *Journal of Social History* 37 (2003): 115.

7 Denver Brunsman, "Men of War: British Sailors and the Impressment Paradox," *Journal of Early Modern History*, 14 (2010), 12–13.

8 As to the slavery in the Ottoman world, Suraiya Faroqhi states the following: "… while the agency of slaves was severely limited, in certain cases it was not absent. Some slaves possessed good health, stamina, intelligence, and adaptability, which might allow the most fortunate among them to achieve quite prominent positions, particularly if in the service of a high-ranking pasha." Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey*, OSML 4 (Berlin: EB-Verlag, 2017), 11.

9 Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982). A critical approach to this concept regarding the Ottoman slavery system, see Ehud R. Toledano, "Ottoman Elite Enslavement and 'Social Death'," in *On Human Bondage: After Slavery and Social Death*, ed. John Bodel and Walter Scheidel (Malden: John Wiley, 2017), 136–50.

10 Ehud R. Toledano, *As If Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press 2007).

11 Hans Medick, "Missionaries in the Row Boat? Ethnological Ways of Knowing as a Challenge to Social History," *Comparative Studies in Society and History* 29 (1987): 76.

social order, so that this relationship cannot be seen as a necessarily and exclusively top-down one. Rather, even the smallest opportunity for action reveals a different venue. The concepts of 'social order,' 'agency,' and 'power' are all interconnected and prerequisites for drawing an alternative and more complex picture than Patterson's "social death" of slaves. Furthermore, we should keep in mind that scholars of dependency face far more fluent patterns of dependencies, not simply clear-cut and predetermined categories—all of which point to interagency. Juliane Schiel, Isabelle Schürch, and Aline Steinbrecher recently emphasized both the reciprocity and the interdependency in these binary relations, where experiences, emotions, and practices are embedded within a system of interaction with other agents and groups of agents that must be taken into account if we are to detect and describe social systems of interaction and interdependencies.[12] Therefore, I consider interagency to be an obvious result when dealing with agency. Thus, in this study the term 'agency' always implies 'interagency.' As Vinciane Despret stated: "There is no agency that is not interagency."[13]

Galley Slavery as a Common Practice in the Mediterranean

During the Early Modern Period, maritime battles created an enormous surge in demand for manpower on the galleys of the seafaring powers in the Mediterranean. The reigning sea powers all exploited any opportunity available to enslave the "others." The goal was to maintain the balance of power and sovereignty in the Mediterranean by means of naval encounters. The driving force—in the full sense of the word—of this enormous mechanism were the galley slaves. Their lives represented an extreme form of dependency if it did not end prematurely because of the harsh conditions. At the same time, this type of slavery was an immensely complex phenomenon among the enslavement practices prevalent in the Mediterranean at the time.

The 16th-century Mediterranean was marked not only by large-scale naval battles like Lepanto in 1571, but also by the establishment of the "Veneto-Ottoman order."[14] Both sides organized the Mediterranean into a far-flung commercial zone structured by the agreements (the so-called *ʿahdnāme-i hümāyūn*).

12 On this recent debate, see Juliana Schiel, Isabelle Schürch, and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden: Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte* 32 (2017): 22.

13 Vinciane Despret, "From Secret Agents to Interagency," *History and Theory* 52 (2013): 44.

14 Molly Greene, *Catholic Pirates and Greek Merchants: A Maritime History of the Early Modern Mediterranean* (Princeton: Princeton University Press, 2010), 13.

In her fascinating monograph on the Catholic pirates and Greek merchants, Molly Greene describes it as "a world of subjects and sovereigns,"[15] where there was always an ambiguity in the case of Greeks as Orthodox Christians. This was a specific order that challenged the Knights of Malta.[16] The 17th century was marked by increased maritime violence exercised by both the Catholic Maltese and Muslim North Africans, which Greene calls "the golden age of piracy:"[17] Privateering and piracy[18] became established as lucrative businesses feeding the ever-increasing demand for oarsmen. The corsairs abducted people either at sea or in the coastal regions, with the latter possibly also selling the abducted persons to the Ottoman fleet. The different forms of human trafficking for ransom were among the most important sources of income for pirates and corsairs. Piracy, the protracted Ottoman conquest of Crete, and other naval encounters were long to perpetuate the practice of enslavement.

Thus, this century was the last century during which galleys were extensively deployed before being gradually replaced by sailing ships during the next century. The advantage of galleys was their speed and maneuverability along the ragged coastlines around the numerous islands in the Mediterranean. Of course, sailing of any kind depends on propitious winds, whereas galleys can operate independently of such hazards and are hence more maneuverable during a confrontation due to their design and human propulsion. Manning these warships as quickly as possible was the biggest challenge during the sea season when galleys represented the predominant type of vessel. Everything was geared to manning the ships rapidly to set sail.

Galley slavery was employed by all naval powers in the Early Modern Mediterranean, to the extent that, borrowing from Jeff Fynn-Paul, it might be appropriate to call this region a "slaving zone."[19] Yet it was a shared one, since the entire region—both sea and the coastal cities—supplied slaves to the sea powers. Salvatore Bono, in what is now a classical reference on piracy and corsair practices in the Mediterranean, points out that around the year 1617 a particularly high number of Muslim galley slaves worked on the galleys of the Knights of the Tuscan Order of Saint Stephen, and that more than 60% of their oarsmen were

15 Greene, *Catholic Pirates*, 13–15.

16 For the inspiring introduction, see Greene, *Catholic Pirates*, 1–14.

17 Greene, *Catholic Pirates*, 13. Further, see Joshua M. White, *Piracy and Law in the Ottoman Mediterranean* (Stanford: Stanford University Press, 2017).

18 On the context of the Ottoman-Venetian encounters at sea, see Maria Pia Pedani, *The Ottoman-Venetian Border (15th-18th Centuries)*, transl. by Mariateresa Sala (Venezia: Edizioni Ca'Foscari, 2017), especially, 38–47.

19 On "slaving zone" and "no-slaving zones" in Jeff Fynn-Paul's studies, see his "Introduction: Slaving Zones in Global History: The Evolution of a Concept," in *Slaving Zones: Cultural Identities, Ideologies, and Institutions in the Evolution of Global Slavery*, ed. Jeff Fynn-Paul and Damian Alan Pargas (Leiden: Brill, 2018), 1–3.

Muslim prisoners of war—the highest percentage of Muslim slaves in any European fleet. The Order's successful sea raids and taking of prisoners during these raids attributed to this extremely high number of Muslim galley slaves.[20] Muslim slaves are one of the most intensely studied groups in the research on the oarsmen of European galleys. Their origins are often known from the crew lists of the European fleets. Most of the galley slaves of the 16th century came from the territories in Europe and Asia Minor under Ottoman rule. However, from the turn of the 17th century onwards, many galley slaves originated from the Barbary States of the Maghreb.[21] Like the Ottoman fleet, the European fleets always seemed to be lacking oarsmen.

Galley slavery is a category of its own compared to other areas of servitude. Its primary significance lies in the fact that, in the Ottoman context, large-scale galley slavery was confined to the Imperial Arsenal; thus, it concerns "state slaves" as opposed to domestic slaves.[22] Further, the concept of forced labor or unfree labor is a useful analytical tool for explaining galley slavery in the Ottoman system of enslavement, especially since these slaves received a salary, however minimal, although they remained merchandise in a monetized economy.[23]

The Imperial Arsenal and the Imperial Fleet: The Inexhaustible Need for Oarsmen

The theater of operation was the sea, mostly the Mediterranean, in particular its Eastern parts. The Imperial Arsenal (*Tersāne-i ʿĀmire*) on the Golden Horn (Galata, Haliç) in Istanbul was the center of ship construction and naval administration with several social facilities throughout the centuries, supplemented by smaller-scale shipyards in various other locations.[24] The Ottoman navy had

20 Salvatore Bono, *Piraten und Korsaren im Mittelmeer: Seekrieg, Handel und Sklaverei vom 16. bis 19. Jahrhundert*, transl. by Achim Wurm (Stuttgart: Klett-Cotta, 2009), 149.

21 Bono, *Piraten und Korsaren*, 150.

22 Some larger elite households, where the slave staff ran into the hundreds, also rented out private household slaves to the Arsenal on a seasonal basis. I discuss this aspect in detail elsewhere, see Gül Şen, "Galley Slaves in the Ottoman Mediterranean: An Absolute Form of Dependency," paper presented at the *Lecture Series III: Beyond Slavery and Freedom*, University of Bonn. 30 June 2017.

23 Gül Şen, "Between Two Spaces: Being Slave and Being Labor in the Ottoman Navy," forthcoming.

24 İdris Bostan, "Tersane-i Amire," in *Encyclopedia of Ottoman Empire*, ed. Gábor Ágoston and Bruce Masters (New York: Facts on File, 2008), 559.

already become well established in the Eastern Mediterranean under Meḥmed II (r. 1444–46; 1451–81) before expanding in the 16th and 17th centuries.[25]

In his collection of law codes *Telḥīs ül Beyān fī Ḳavānīn-i Āl-i ʿOs̱mān,* Hezārfen Ḥüseyn Efendi describes in detail all types of vessels at the Imperial Arsenal. Despite the inaccuracy in some of the numbers, he describes technical needs and the crew of a war galley in the section "On the Ships of the Imperial Arsenal" as follows:

> Galley: Between the stern and the bow (2 *bodostima*) of a galley the length used to be 41.69 m (55 *zirāʿ*);[26] now it is 42.44 [m] (56); the longer is the better. The width of the storage opening is 4.84–5.28 m (22 *karış*),[27] and the stern's height is 3.96–4.32 m (18 *karış*), which used to be 22–24 cm (1 *karış*) less and without the form of a watermelon. Today, it is built in this form since that is what best resists the storm. Its crew consists of, first, a competent captain who commands the whole [crew], consults the map and compass; of the 20 craftsmen [needed] for operating the sail, one of them is the platoon commander; 2 master helmsmen and 1 master sailmaker and under his command 2 persons called footboys. The older [footboy] whistles and the younger one remains standing and serves various sailing matters. Further, 2 oarmakers, 2 caulkers, and 2 stonecutters are present on each ship. There are altogether 35 persons, 25 benches, and 49 oars. One mans the cooking niche.[28] Multiplied by four results in 190 oarsmen and 100 fighters. Thus, a galley's crew consists of 300 persons in total.[29] A maona's (*mavna* or *mauna*)[30] crew consists of 600 persons, a bastarda's (*baştarda*)[31] of 800 persons and a galley's crew consists of 300 persons. Traditionally, 40 ships together with 6 maonas means the fleet consists of 16,400 persons, 10,500 of whom are oarsmen and 5,300 fighters. When 100 fighters from the *beğ*'s ships are added, the total number consists of about 7,000 fighters … This is what is known.[32]

To sum up the reasons for the high demand for oarsmen: First, the fleet largely consisted of oar-propelled war ships (galleys, galiots, frigates, and others) and to a much lesser extent of sailing ships. Second, the total number of these kinds of

25 Fariba Zarinebaf, *Crime and Punishment in Istanbul: 1700–1800* (Berkeley: University of California Press, 2010), 164.

26 Called also *arşın* or *arşun.* The architectural *zirāʿ* corresponds to 758 per thousand meter which is 0.75.8 m. Mehmet Zeki Pakalın, *Osmanlı Tarih Deyimleri ve Terimleri Sözlüğü*), 3th ed. vol. III (Istanbul: Milli Eğitim Basımevi, 1983), 663, "Zira ʿ;" vol. I, 88 "Arşın."

27 A *karış* corresponds to between 22 and 24 cm. See İlhan Ayverdi, *Misalli Büyük Türkçe Sözlük,* 3th ed. (Istanbul: Kubbealtı, 2016), 630 "karış."

28 A niche between two oars served as a place for cooking.

29 The total number given is, however, not accurate.

30 Large two-deck warship. See Kahane and Tietze, *The Lingua Franca*, 541; Bostan, *Bahriye Teşkilâtı*, 87–88.

31 Large war galley. The variations of the term are *galera bastarda* in Spanish and Catalan; *bastarda*, *galera bastarda*, *galea bastardella* in Italian*; bastarda* in Greek. See Kahane and Tietze, *The Lingua Franca*, 102.

32 Hezarfen Hüseyin Efendi, *Telhîsü'l Beyân fî Kavânîn-i Âl-i Osmân*, ed. Sevim İlgürel (Ankara: Türk Tarih Kurumu, 1998), 161.

ships was expanding, since they were employed not only as fighting vessels, but also served other (e. g. commercial and logistic) purposes.[33] Further, ships served passenger traffic, for example, to Egypt, and the transport of goods to the outlying provinces.[34] Third, the mortality rate of the oarsmen during battle was extremely high. The number of ships deployed during the great naval battles of the 16th and 17th centuries may give an idea of the demand for galleys: Siege of Rhodes (1522) 300, Battle of Preveza (1538) 120, campaign against Cyprus (1571) 400, and campaign of Crete (1645–69) 400.[35] The long Cretan War with the Venetians provides detailed insights into the similarity of the practices of naval warfare and the conflicts between the Ottomans and Catholic Europeans. The protracted conquest is the major part of the *Chronicle of Naʿīmā*, which registers several blockages of the Dardanelles by the Venetian fleet that the Ottoman fleet repeatedly failed to break in order to send relief to Chania, the main Ottoman naval base on Crete. A closer look at this period reveals the increased need for recruiting oarsmen.

In his semifictional novel with autobiographical elements and first-person narrative (date of the publication 1669), Hans Jakob Christoffel von Grimmelshausen describes travels during the Thirty Years' War in Europe (1618–48) and how he was captured several times. He recounts his situation in Istanbul as follows:

> … because the Turkish emperor was just then fitting out galleys against the Venetians and needed rowers, therefore must many Turkish merchants part with their Christian slaves (yet for ready payment), among whom I was one, as being a strong young fellow. And now must I learn to row; which heavy task nevertheless endured not more than two months: for our galley was in the Levant right valiantly overcome by the Venetians, and I with all my companions freed from the power of the Turks.[36]

His biography clearly tells us that he never left Central Europe his whole life, so this description merely reflects what people at that time in Central Europe knew or thought they know about the Ottoman world and its circumstances. However, the possibility of being captured and put to the oars but then being rescued was

33 The Imperial Shipyard had a large number of transport ships. Slaves wered deployed especially in the transport vessels for stone and timber (*taş gemileri*) especially slaves were deployed. Bostan, *Bahriye Teşkilâtı*, 88–91, 91 n. 114.

34 For example, the building of the Faş Fortress on the Black Sea Coast in Georgia took six years. Most of the transportation of needed material was done from Istanbul by ship. See Mahir Aydın, "Faş Kalesi," *Osmanlı Araştırmaları / The Journal of Ottoman Studies* 4 (1986): 79, 86–87, 92. The author described which and how many ships were sent from the Capital during six years.

35 Bostan, "Tersane-i Amire," 561.

36 Hans Jacob Christoffel von Grimmelshausen, *The Adventurous Simplicissimus: Being the Description of the Life of a Strange Vagabond Named Melchior Sternfels von Fuchshaim* (London: William Heinemann, 1912), 400.

indeed a characteristic experience in the Early Modern Mediterranean. An anonymous captain confirms Grimmelshausen's fictional narrative: "When we went to Constantinople and got caught in the Ottoman's clutches, then—as is generally known—they would take away our galleon and our belongings and turn us into slaves. We were unable to escape their hands for the rest of our lives."[37]

Deployment of Oarsmen

The mechanism of deployment in the Ottoman navy had many levels and was not always organized along clear and well-executed legal regulations. Manning galleys with rowers quickly and fully within a fully legal framework was anything but an easy task, as numerous entries in the *mühimme* registers prove.[38]

There were three kinds of slaves employed in the Ottoman galleys: first, the state slaves (*gebrān-ı mīrī* or *mīrī esīrler*), who had been taken prisoner during battles; second, slaves from private households of dignitaries or wealthy people; third, slaves acquired by purchase by the state when there was a shortage of rowers.[39] According to İdris Bostan, the state slaves employed in galleys and in the Arsenal were registered in the documents as *gebrān-ı mīrī*, *forṣāhā-i mīrī* or *forṣāhā-i keştihā*, whereas bought slaves were registered as *üsārā*, *gebrān* or *gebrān-ı rüesā*. The number of *mīrī gebrān* who worked as galley slaves was modest, for example, for the year 1604 at least 3%, and for the year 1661–62, no more than 27% of the overall number of rowers (all figures according to the documents). Slaves acquired by purchase were paid like the voluntary rowers (*ḫod-girifte*), sometimes even more than them.[40] According to the finance registers (*muḥāsebe defterleri*) of the Imperial Arsenal for the year 1602–98, the payment of voluntary rowers varied between 1,700 and 6,000 *akçe*. The *forṣā*s, however, were paid, albeit only a half *akçe* per day for the year 1603–4 and two *akçe* for the year 1621–22.[41]

37 Andreas Tietze, "Die Geschichte vom Kerkermeister-Kapitän: Ein türkischer Seeräuberroman aus dem 17. Jahrhundert," *Acta Orientalia* 19 (1942): 178.

38 For example, See the following registers for the 16th century, *6 Numaralı Mühimme Defteri (972/1564–1565): Özet,Transkripsiyon ve İndeks* (Ankara: T.C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, Osmanlı Arşivi Daire Bakanlığı, 1995); *12 Numaralı Mühimme Defteri (978–979/1570–1572): Özet, Transkripsiyon ve İndeks* (Ankara: T.C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, Osmanlı Arşivi Daire Bakanlığı, 1998).

39 On state slaves, see İdris Bostan, *Osmanlı Bahriye Teşkilatı: XVII Yüzyılda Tersane-i Amire* (Ankara: Türk Tarih Kurumu, 1992), 209–12.

40 Bostan, *Bahriye Teşkilatı,* 210–13.

41 Bostan, *Bahriye Teşkilatı,* 210 n. 202.

Just like the number of deployed galleys in the larger naval encounters, the sheer number of oarsmen employed demonstrates the high demand of manpower for operating the galleys: in the Campaign of Rhodes (1522) 40,000[42] and in the Battle of Lepanto (1571) 40,000.[43] The Ottomans believed the galley slaves to be superior to all other types of oarsmen.[44] Therefore, it was obviously difficult to avoid the maximum deployment of *forṣā*s. On the other hand, this also meant to run the potential risk of outright rebellion or playing into the hands of the enemy fleet if a crew consisted only of galley slaves.[45] This must have been weighing on the mind of Katib Çelebi when warned in his *Tuḥfet* in the 27th advice:

> The rowers (*kürekçi*) of the vessels should be blend (*muṣaḳḳar)*, which means that Turks and galley slaves should be mixed. Previous captains have chosen the best among the rowers and sat three galley slaves (*forṣā*) and three Turks together at one *baṣtarda*-oar. One should avoid [the exclusive employment] of galley slaves and not seat many non-Muslims aboard the ships of the Istanbul shipyard, rather salaried non-Muslim rowers should be distributed to the ships. It is preferable that a Turk is rowing, no matter how skilled he is. One should not rely on the skills of rowing *forṣā.* There are numerous [cases of] vessels on which the *forṣā*s did revolt and abscond.[46]

Manning the Galleys: A Challenge for the Officials

The regulations concerning court ceremonials drafted by Abdurrahman Pasha in 1676 provide glimpses not only into the state protocol regarding the activities at the Imperial Arsenal and the Fleet, but also into the precise proceedure before the departure of the Imperial Fleet in the presence of the whole cadre of state dignitaries:

> Here, in the presence of all the dignitaries and the grand admiral, the grand vizier asks the Arsenal's intendant and the Arsenal's deputy: "Has all ordnance for the Imperial Fleet been supplied and flawlessly delivered to its place?" They reply: "It is complete; all ammunition and materials have been supplied." Then, according to the register, they [intendant and deputy], the Arsenal's registrars and servants receive robes of honor. Only then, the permission of the Imperial Council is granted. Immediately, the viziers

42 Bostan *Bahriye Teşkilatı,* 187.
43 Helmut Pemsel, *Seeherrschaft: Eine maritime Weltgeschichte von den Anfängen bis 1850*, vol. I. (Bonn: Bernard & Graefe Verlag, 1995), 151–52.
44 Bostan, *Bahriye Teşkilatı,* 211.
45 İsmail Hakkı Uzunçarşılı, *Osmanlı Devletinin Merkez ve Bahriye Teşkilâtı*, 3rd ed. (Ankara: Türk Tarih Kurumu Basımevi, 1988), 483.
46 Kātib Çelebi, *Tuḥfet el-kibār,* manuscript TSMK, Revan 1192, fol. 128a. The facsimile is in Kâtib Çelebi. *Tuhfetü'l-Kibâr*, ed. Bostan.

> put on their turbans (*selīmī*), the ulama wear their *örf*, and the other statesmen present put on their turbans as well and [all] enter the *baştarda.*[47]

The Grand Admiral Kemānkeş Ḳara Muṣṭafā Pasha (1635–38) ordinarily required the Imperial Arsenal to supply 40 galleys each year, an obligation extended in the Naval Regulation of 1701 to cover the same number of galleons. (Compared to war times, for example, after the defeat at Lepanto (1571), the Ottoman shipyards produced more than 200 galleys within a short period.)[48] However, the annual manning and mobilization of the fleet was not an easy task for the responsible officials, implying fatal consequences should manning be insufficient, as shown in the following text passage, a short section entitled "The situation at Crete" (*aḥvāl-i Girid*) from the *Chronicle of Naʿīmā:*

> At the beginning of March (1651), the Grand Admiral arrived with seven galleys (*yedi ḳıṭʿa ḳadırġa*), and after fulfilling his duties in Istanbul (ʿ*Āsitāne*), he reported that the enemy had been building a tremendous fleet and [reported] further observations at sea. Together with the Grand Vizier, both arrived at the Arsenal for a meeting. Because the [prescribed] number of oarsmen (*kürekçi*) of the galley captain Cerbīn Şaʿbān and of two other captains was incomplete, the captains' beards were shaved, and they were put to the oars. Some galleons were bought; [the grand admiral] was responsible for outfitting them and also built new galleons. He took the appropriate measures to join the rest of the fleet he had left behind in Chios.[49]

This text passage provides several insights. First, the fact that, when demoted, even captains were put to the oars points to the permanent lack of oarsmen as well as rowing as a form of punishment. Further, we see a kind of controlling, i. e. the oversight of the fleet by the grand admiral and the grand vizier, which led them to determine that the oarsmen were irresponsibly understaffed. Not the least, we see a form of organization aboard the ships: The Imperial Arsenal was concerned not only with constructing new ships; it also purchased them on a regular basis. The superintendant of the Arsenal (*tersāne emīni*) also had to provide the Arsenal with oarsmen and hawsermen: "He also needed to ensure the delivery of oarsmen who had been conscripted from numerous designated districts and was responsible for the overall supply of the Arsenal with manpower for its vessels."

Beside the ship captains, the supply of oarsmen from certain provincial governors, called *deryā beği*s ("sea lord") and the role of governors' ships (*beğ*

47 Ahmet Akgündüz, ed., *Osmanlı Kanunnâmeleri ve Hukukî Tahlilleri*, vol. 10 (Istanbul: Osmanlı Araştırmaları Vakfı, 2015), 417–18.

48 Bostan, *Bahriye Teşkilatı*, 561.

49 *Tārīḫ-i Naʿīmā*, vol. V, 49–50. A much shorter version of the same narrative but the same section title is in the *Fezleke*. See Kâtib Çelebi, *Fezleke: Osmanlı Tarihi (1000–1065/1591–1655)*, ed. Zeynep Aycibin, 2 vols., vol. II (Istanbul: Çamlıca, 2016), 1037.

gemileri)[50] were crucial to the organization of the entire fleet. The *beğ*s' ships represented supplementary strategic and logistical units of the Ottoman fleet, stationed at the Imperial Arsenal. During the 16th and 17th centuries, the *beğ*s of certain districts of the Ottoman administration (*sancāḳ*), whether coastal areas or islands, were required to participate in maritime expeditions together with their personnel. During the campaign seasons, they had to provide two or three galleys each. They were obliged to build their galleys but received their ordnance from the Imperial Arsenal. They had to purchase the necessary rusks (*peksimet* or *beksimāt*) from the storehouses of the Arsenal and pay in cash.[51] The Naval Law Code (*Baḥriye Kanunnāmesi*) from the year 1701 during the reign of the Grand Vizier Amcazāde Ḥüseyn Pasha and the Grand Admiral Mezzo Morto Ḥüseyn Pasha[52] specifically stipulated that the *derya beği*s needed to be familiar with the needs of the Imperial Fleet and had to supply—depending on their salary—five to six oarsmen (*beşer altışar ḳat forṣā*) on each oar as well as 160 warriors and strong brave sailors (*cengāver ve tuvana ve dilāver levend*).[53] It is not certain at this point whether this means slaves or paid oarsmen; from the regulation's point of view, the difference presumably was irrelevant. The term *forṣā,* though, is used specifically for the galley slaves. Naʿīmā's *Chronicle* mentions the role of *beğs*' ships on many occasions. The subchapter entitled "*Ẕikr-i aḥvāl-i donanma*" (On the Situation of the Fleet) is a typical compiled narrative from the *Feẕleke.* This event took place in the year 1648:

> The *beğ*s' ships came only with dried words and brought no piece of food and ammunition (*Ve beğ gemileri bir kurı söz ile gelüb ẕaḫīre ve mühimmātdan nesne getürmeyib*). [They] said "The rusks for our galley slaves will only last for three days. What shall we give them?" and hoped to obtain food [supply] from Crete. ("*Forṣā esirlerimiziñ beksimaṭları üçer günlükdür, bunlara ne vėrelim?" deyü Giridden ẕāḫīre ümīdinde oldılar*).[54]

The citation above indicates two important aspects: the food supply for the rowers and the governors' ships, which played a crucial role for supporting the main fleet.

50 *Bey* or *beğ* was the title of a high-ranking officer and did not mean "esquire" or "sir" as in the modern Turkish.

51 Bostan, "Osmanlı Bahriyesinin," 300–301.

52 On him, see İdris Bostan, "Mezemorta Hüseyin Paşa ve 1701 Bahriye Kanunnamesi," in *Başlangıçtan XVII. Yüzyılın Sonuna Kadar Türk Denizcilik Tarihi*, ed. by İdris Bostan and Salih Özbaran (Istanbul: Boyut, 2009), 281–91.

53 Bostan, "Mezemorta," 290, Appendix: "Ek: 1701(1113) Tarihli Bahriye Kanunnamesi."

54 *Tārīḫ-i Naʿīmā*, vol. IV, 261–62. Kātib Çelebi's version: The *beğ*s' ships brought no piece of food and ammunition. (*Ve beğ gemileri ẕaḫīre ve mühimmātdan nesne getürmeyüb*). [They] said "The rusks for our galley slaves will only last for three days" and hoped to obtain food [supply]. (*forṣālarımızın beksimaṭı üçer günlükdür" dėyü ẕāḫīre ümīdinde olup*). Kâtib Çelebi, *Feẕleke*, vol. II, 971.

Capture

The *Chronicle of Naʿīmā* frequently mentions the capture of slaves (*esīrler*) or galley slaves (*forṣālar*). In fact, this is almost a recurring theme. The phrase "A number of slaves were captured" (*bir miḳdār esīr alınub*) appears again and again, like a literary *topos.* A confrontation usually ends with the taking of spoils and slaves. The following paragraph is the rather stereotypical narrative about taking slaves during a battle or a raid, namely, about capturing slaves by the Grand Admiral Ḫalil Pasha in Navarino Bay. Slaves are mentioned among the spoils:

> This year,[55] the Grand Admiral Ḫalil Pasha sailed to the Mediterranean with about 40 galleys (*ḳadırga*). After he had the ships oiled in Navarino Bay (Avarin), he took two grain ships in the port of Durrës (Dıraç)[56] and Fırḳate.[57] Guided by their captains, they sailed to the shore of the enemy in the evening and across from a rocky mountain near the Manfredonia Fortress (Mefredonya Ḳalʿası)[58] at the time of the morning prayer. During a moment when the fortress' population was careless, they attacked and took the exterior fortress. On the third day, the interior castle was taken, too, and they set it on fire. A number of slaves were taken and they returned home alive with spoils. (*Bir miḳdar esīr alınub sālim ü gānim berü cānibe rücūʿ olundı*)[59]

From the following passage we can gather that the provincial governors were obliged to participate in sea battles with their own galleys and crews and slaves. It also allows glimpses into the capturing of slaves. It deals with a battle between the Ottoman fleet and the Knights of Malta (*Malta ḳorṣānları*) on Chios (Saḳız) in 1657. The enemy galleys captured three grain supply ships and spirited them to a port. In hot pursuit, the Grand Admiral encountered more enemy ships and attacked them. Apart from the people killed in the galleon, he seized a great number of captives. In the section entitled "The Support of the Imperial Fleet" *(Nuṣret-i Donanma-i Hümāyūn)*[60] Naʿīmā provides a report lifted from ʿAbdi Pasha's *Chronicle* (*Veḳāyiʿnāme*):

> … He registered a great number of enslaved infidels in the state register, [but] did not allot a single slave to the Begs whose galley slaves had perished during the battle … Because he did not give any slaves to the begs whose galley slaves had been killed during the fight with the galleons, the begs who came close to him [with their ships] felt insulted. Employing excuses and pretexts, they entertained, then distracted him, thus

55 Whether it is 1629 or 1630 is unclear as no year or month is mentioned.
56 A port on the Adriatic coast in what is Albania today.
57 I was unable to identify this port which must be in the near vicinity.
58 Today in Apulia (Puglia) in southern Italy.
59 *Tārīḫ-i Naʿīmā*, vol. II, 185. For a version, see Kâtib Çelebi, *Fezleke*, vol. II, 521.
60 *Tārīḫ-i Naʿīmā*, vol. VI, 266–67.

while [engaging with them] the aforesaid enemy galleons made it to the open sea and escaped him.[61]

This passage recounts a conflict at sea between the admiral and the *beğ*s about galley slaves. This type of entry also reflects the taking of war prisoners, who represented the main source of supply of rowers.

Volunteers

Recruiting voluntary oarsmen by payment of salary was a permanent feature in the Ottoman fleet. However, these men called *ḫod-girifte* were also shackled during the battles, just like their unfree colleagues. It was extremely difficult to find a sufficient number of such volunteers, a situation commented on by Naʿīmā: "Even if tents were set up and silver coins were rained onto the square, still nobody would come forward voluntarily and sign up as an oarsman."[62]

Tax Obligations

The dearth of volunteers prompted to develop alternative strategies for recruiting oarsmen, the first of which concerned tax obligations. This method should still be filed under the category of free recruitment: The state obliged the households of the surrounding areas to supply a fixed number of men to row the Ottoman galleys in exchange for relieving them of the *avārız* (for Muslim subjects) or *cizye* tax (for non-Muslim subjects).[63] Over the course of time, the *avārız* rowers constituted the majority of the galley crews. These rowers were paid out of the money collected from a fixed number of households obliged to provide the

61 *Tārīḫ-i Naʿīmā*, vol. VI, 266–67: *ḫayli kefere-i üsārāyı mīrī silsilesine ḳayd edüb maḥall-i maʿrekede forsaları düşen beğlere esīr vèrmedi … Ammā muḳaddemā vākiʿ olan ḳalyon muḥārebesinde forsası helāk olan beğlere esīr vèrmediğinden nāşī beğler kendiden münfaʿil olub envāʿ-ı teʾallül ü bahāne ile üzerine varmayub sonra taʿvīḳ ètmeleri ile mezbūr ḳalyonlar engine ṭoġrı açulıb firār ètdiler.* The version of this report in Abdi Pasha's chronicle. See *Abdurrahman Abdi Paşa Vekâyi'-Nâmesi [Osmanlı Tarihi (1648–1682)]*, ed. Fahri Çetin Derin (Istanbul: Çamlıca, 2008), 104: *hayli kefere-i üsārāyı mīrī silsilesine ḳayd edüb maḥall-i maʿrekede forşāları düşen beglere esīr vèrmedi … Ammā muḳaddemā vākiʿ olan ḳalyon muhārebesinde forşāsı helāk olan beğlere esīr vèrmediğünden nāşī beğler kendüden derūni mütehaşī olmağın envāʿ-ı teʾallül ü bahāne ile üzerine varmayub sonra taʿvīk ètmeleriyle mezbūr ḳalyonlar engine doġrı açılub firār ètdiler.*

62 *Tārīḫ-i Naʿīmā*, vol. V, 201–2.

63 İdris Bostan, "Osmanlı Donanmasında Kürekçi Temini ve 958 (1551) Tarihli 59–76: Kürekçi Defterleri," in *Beylikten Imparatorluğa Osmanlı Denizciliği*, ed. Bostan (Istanbul: Kitap Yayınevi, 2008), 60–61. It should be noted that an *avarız* household is different than a usual one and can consist of many households. See Ömer Lütfi Balkan, "Avarız," *İA*, vol. II, 15–16.

salaries of rowers.[64] However, it is not clear how many of them were Muslims or non-Muslims.[65] The main responsibility lay with the kadis, who were commissioned to recruit men by means of a tax-collecting system. This practice was not applied on a systematic basis across the empire, which is why the lack of oarsmen seems to have been a recurring problem over the centuries. The two labor recruiting categories are designated in the sources with the term *kürekçi iḫrācı*, meaning "collecting rowers" or *kürekçi irsāli* (delivering rowers) much frequently appear in the *mühimme* registers of the 16th and 17th century.[66]

Punishment for Criminals

In the Ottoman state, penal servitude as criminal punishment was introduced from the mid-16th century onwards.[67] Zarinebaf 's recent study based on police reports from the 18th century provides some evidence for the sentencing of felons to the galleys (called *küreğe ḳoymak* "putting to the oar"). The period of penal servitude on the galleys ranged from one to eight years. It was imposed mostly for petty theft, counterfeiting, and sexual crimes.[68] In the early 18th century, Zarinebaf points out, "[m]ost thieves were sentenced to forced labor in the galleys, a punishment that may indicate the navy's need for rowers at the time as well as a rising crime rate."[69] Punishment in the form of *küreğe ḳoymak* also appears in the *Chronicle of Naʿīmā*. In the chapter covering the year 1621–22, several sections deal with the execution of Sultan ʿOs̲mān II. (r.1618–22). In the section "The Reason for the Event" (*sebeb-i vaḳʿa*), the historian gives unique reason for the execution of ʿOs̲mān II:[70] "… Sultan ʿOs̲mān II. had animosity toward Yusuf Aġa, who was the head of Janissaries in the year 1029/1619. He went on patrol incognito[71] and raided the taverns; he ordered that the Janissaries be thrown to the sea and some city inhabitants to be put to the oars."[72] "Putting to

64 Bostan, "Kürekçi Temini," 6.

65 Bostan, "Kürekçi Temini," 61–62.

66 For example, the register for *the year* 973/1565–66 contains similar entries. See, *5 Numaralı Mühimme Defteri (973/1565–1566), Özet ve İndeks* (Ankara: T.C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, Osmanlı Arşivi Daire Bakanlığı, 1994).

67 Mehmet İpşirli, "XVI. Asrın İkinci Yarısında Kürek Cezası İle İlgili Hükümler," *Tarih Enstitüsü Dergisi* 12 (1982): 206–7.

68 Zarinebaf, *Crime and Punishment*, 165, referring to the list in İpşirli, "Kürek Cezası," 213.

69 Zarinebaf, *Crime and Punishment*, 73.

70 *Tārīḫ-i Naʿīmā*, vol. V, 209–10 is the section.

71 It was reported that some sultans went into town incognito for firsthand observation of the circumstances. See Douglas A. Howard, *A History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2017), 154.

72 *Tārīḫ-i Naʿīmā*, II: 209 cited from *Fez̲leke* almost literally. *"Ve biri daḫi Bostancıbaşı Meḥmed Aġa'nıñ yigirmi ṭokuzda Yeñiçeri aġası bulunan Yusuf Aġa ile hasm olub aña raġmen pā-*

the oar" was obviously a widespread punitive measure applied in many circumstances.

Impressment by Press Gangs

Impressment, also referred to as crimping, designates the forced recruitment of naval or military workers. Physically strong and capable (yet mostly reluctant) men, often from lower social classes and vagabonds or convicts, were forced into these services by violent means in seaports all over the world up until the early 19th century, particularly by the British Royal Navy in the 18th century.[73] In 1644, England introduced the "press-gang system," a recruitment method that allowed the navy to comb whole districts for potential seamen who were then forced to work on the ships.[74] Although this is a known fact, almost no research has been done on the situation in the Ottoman Empire. In the Ottoman domain this practice was illegal per se, although kidnapping, unlawful detention, and subsequent sale to the Imperial Arsenal also seem to have been a considerable factor in filling the galley slave force.

An interesting text passage from the year 1652 confirms this kind of practice for the Ottoman Empire. In the section concerning the Imperial fleet, Naʿīmā reports that some men from the Arsenal kidnapped unemployed and clueless rustics from the provinces and sold them to the Arsenal as galley slaves:

> In this month, the fleet received particular attention. The sultan, the refuge of the world, energetically ordered during a stay in the Arsenal's garden: "Most certainly, forty galleys shall be built." In previous times until the term of the deceased Muṣṭafā Pasha, at most only 30 galleys per year used to be built in Istanbul and on other shores. Muṣṭafā Pasha did a great job and managed to have 40 galleys built. However, the income from the *avārız* taxes[75] was sufficient only to man about 30 galleys with oarsmen (*kadırga kürekçisi*). Because [the fleet] lacked oarsmen, it was filled by force with beggars and workless people from Istanbul and the vicinity. It is heard from the Arsenal's seniors that, at that time, there were some so-called foremen who were looking for and trapping the naive and rustics[76] unemployed downtown and in the marketplace, [people] who

diṣāhı tebdīl-i cāme bostāncılar ile gezdirüb meyḫāneleri baṣdırub ḳul ṭāʾifesini deryāya atdurır ve şehirlüyi küreğe ḳoydurır idi. Ol ecilden ekser Yeñiçeriler dilgīr olmuş idi." For the version in *Fezleke*, see Kâtib Çelebi, *Fezleke*, vol. I, 546.

73 https://www.britannica.com/topic/impressment (retrieved on 6 March 2019), Further, see J. Ross Dancy, *The Myth of the Press Gang: Volunteers, Impressment and the Naval Manpower Problem in the Late Eighteenth Century* (Woodbridge: The Boydell Press, 2015).

74 Alessandro Stanziani, *Sailors, Slaves, and Immigrants: Bondage in the Indian Ocean World, 1750–1914* (New York: Palgrave Macmillan, 2014), 57.

75 Compare the section "tax obligation."

76 Literally "plow and pitchfork" (*kürek yāba*).

had came from Anatolia or from other regions. Feigning familiarity according to the situation, they would say "Come on, my hero, come on! Let's have the father's soup [together]!" and take them either to their home or to a kabab-kitchen in the bazaar. After wining and dining them, they took them with many twisted stories to the area [of the Arsenal] where they presented them to the bastards who paid them. [These bastards] grab the poor wretches and throw them into the slaves' prison (*esīr zindanı*) of the Arsenal and shackle them. Every time the laborious fleet sails out, many rustics appear; when the ships sail out, they march these wretches out [from the prison] and fill the ships with them. Who could they complain to? They continue to row until the fleet comes back to port and the survivors receive only a few gurush as an oarsmen's pay. This insidious cruelty was customary until Köprili Meḥmed Pasha's[77] term of office, may God rest his soul. One of this vizier's pleasant legacies was the abolition of this horrible custom and the elimination of these so-called foremen. Anyway, still, many odd stories and imitations and comedies are told of those Turks[78] who fell into this trap. Even though the sultan, the refuge of the world, insisted 'Now, there have to be 40 galleys' when the *avārız* [tax] income was spent on the soldiers' pay and other kinds and barely 30 galleys were equipped with utmost effort, [manning] ten [more] galleys seemed to be next to impossible. Even if tents were set up and silver coins were rained onto the square, still nobody would come forward voluntarily and sign up as oarsman.

Since the Arsenal's superintendant was in charge of recruiting men for the oars, I assume that the people in the Arsenal mentioned in the text above might be men of this superintendant. He may have been involved in the illegal acquisition of oarsmen with the help of crimping gangs in order to solve the shortage for oarsmen.[79]

Tracing Agency

In the Arsenal Prison

Apart from their active service at sea, galley slaves were also employed inside and outside of the Arsenal Prison (Tersāne Zindanı) known also as *bagno*.[80] The comparison between the Gran Prigione in Malta and the Tersāne Zindanı in Istanbul drawn by İsmet Parmaksızoğlu in 1953 can be examined in more detail

77 Köprili was grand vizier between 1656 and 1661, arranged by the Queen Mother Hadice Turhan Sultan in order to restore the escalating political situation and the deadlock with the Venetians. See Suraiya Faroqhi, "Crisis and Change 1590–1699" in *An Economic and Social History of the Ottoman Empire 1300–1914*, ed. Halil İnalcık and Donald Quataert (Cambridge: Cambridge University Press, 1994), 419–20.

78 The term "Turks" means people from Anatolia.

79 *Tārīḫ-i Naʿīmā*, vol. 5, 200–201.

80 These kind of prisons were called *bagno* or *bagne* and used especially for convicts and slaves deployed for rowing in the galleys.

by looking at the respective memoirs of Baron Wenzel Wratislaw and Joseph Heberer (both galley slaves) for the Ottomans and the narratives of Mācuncuzāde Muṣṭafā for Malta in 1599,[81] Hindī Mahmūd for Rome in the 1570s,[82] and Hans Wild in 1604 and 1611[83] for the Catholic side.[84] Mācuncuzāde's and Hindī Mahmūd's—neither did serve as galley slave—prison experience and their narratives give some hints about the other captives who were put to the oar. Especially Mācuncuzāde as an Ottoman kadi was a valuable spoil for the Maltese who was not forced to labor, though his own slave Rıdvān was not that fortunate, who "like others of lesser status or means" had to row in a galley.[85] Further, Mācuncuzāde describes these "others" as follows:

> In particular, how many moon-like,[86] incomparable, and beloved princes of the world of the throne got entangled in this misfortune! Heavy chains weigh on their feet and their [only] occupation is moaning and groaning. On the galleys of the cursed they row and drink the brimful glass of poison from the hands of the tyrants, become confused and lose consciousness.[87]

81 Fahir İz, "Macuncuzade Mustafa'nın Malta Anıları: Sergüzeşt-i Esiri-i Malta," *Türk Dili Araştırmaları Yıllığı Belleten* (1970): 69–122; Werner Schmucker, "Die Maltesischen Gefangenschaftserinnerungen eines türkischen Kadi von 1599," *Archivum Ottomanicum* 2 (1970): 191–252. The Ottoman judges who were captured at sea on the way to their appointment places were frequently captured by the Catholic corsairs and became subject to especially high ransoms. See Joshua M. White, *Piracy and Law*, especially 60–62; Gül Şen, *Jordan as an Ottoman Frontier Zone in the Sixteenth-Eighteenth Centuries*, UHML 15, (Berlin: EB-Verlag, 2018), 49.

82 Glyn M. Meredith-Owens, "Traces of a Lost Autobiographical Work by a Courtier of Selim II," *Bulletin of the School of Oriental and African Studies* 23 (1960), 456–63. Ahmet Karataş, "Bir İnebahtı Gâzisinin Esâret Hâtıraları: Sergüzeştnâme-i Hindî Mahmûd," *Osmanlı Araştırmaları / The Journal of Ottoman Studies* 37 (2011): 17–48.

83 Johann Wild, *Reysbeschreibung eines Gefangenen Christen Anno 1604*, reprint (Stuttgart: Steingrüben, 1964).

84 White points out the differences on first-person captive narratives of the Catholic Europeans and Ottomans in case of Mācuncuzāde Muṣṭafā Efendi: "Mustafa Efendi was not writing for a mass audience like those European Christian captives returning from Algiers, Tunis, Salé, nor were his words reshaped like theirs by an editor with a print shop and a strong commercial sensibility … Mustafa probably wrote with a small circle of well-educated and well-connected friends, colleagues, and potential patrons in mind." See White, *Piracy and Law*, 72.

85 White, *Piracy and Law*, 73.

86 The expression "moon-like" was a common attribute for beauty. Sultan Aḥmed told about Ahmed (Later Evliya's patron and the Grand Vizier Melek Aḥmed Pasha) when he was brought to him in child age: "'… and his shining face. A boy like to moon.' Thus he praised Melek to the skies" reports Evliyā. See Robert Dankoff, *The Intimate Life of an Ottoman Statesman: Melek Ahmed Pasha (1588–1662) as Portrayed in Evliya Çelebi's Book of Travels (Seyahat-Name)*. With an historical introduction by Rhoads Murphey (Albany: State University of New York Press, 1991), 273.

87 Schmucker, "Die Maltesischen Gefangenschaftserinnerungen," 242: "Im besonderen, wieviele mondähnliche, unvergleichliche und geliebte Fürsten der Welt des Thrones sind in dieses Ungemach verstrickt! An ihren Füßen lasten schwere Ketten und ihre Tätigkeit ist Klagen und Stöhnen. Auf den Galeeren der Verfluchten führen sie die Ruder, und das

Life and living conditions in the prison were quite similar in both places, but there were some differences too. Parmaksızoğlu's study says the slaves in the Arsenal Prison in Istanbul were shackled together two by two, with only the clergymen being freed of their fetters during sermons. The slaves in the Gran Prigione of Malta were shackled only after they had attempted to escape. In Istanbul, all able-bodied slaves were to serve at the oars aboard the galleys, whereas older slaves and clergymen were put to work ashore. The slaves in the Maltese *bagno* did not work at the oars, and there was almost no forced labor. The health of slaves in Malta was an important issue, so they received a daily diet of three pieces of black bread and a bowl of soup, whereas those held in Istanbul only received two pieces of bread and a cup of water, soup being issued only at the hospital. These differences were based on the fact that the Maltese were interested in collecting as much ransom as possible and consequently took care of their slaves. In Istanbul however, the number of slaves was less of an issue.[88]

The latitude present in the Arsenal Prison in Galata can be described as follows: With the permission of the guards, the slaves were able to start small businesses among themselves, some of which involved the guards, as reported by both Heberer and Wratislaw, who learned at the *bagno* how to knit and buy hosiery in order to buy food and pay guards for better treatment.[89] Wratislaw writes: "So I learned from the other prisoners to knit stockings, gloves, and Turkish hats, and it pleased the Lord God to bless me so in this handicraft that I often earned money, with which I bought meal, porridge, oil, vinegar, olives, salad, and bread."[90] Further, they could communicate with the guards and could strike a deal with them, such as the permission to hold religious services, as mentioned by Wratislaw, who spent his captivity of first in the Prison in Galata and later two years at the Black Tower (Ḳara Ḳule) in Rumelihisārı. They could write petitions to the authorities and particularly to the ambassadors of their home countries.[91] Wratislaw did so in the *bagno* in Galata, as did Hindī Mahmūd in Rome and Mācuncuzāde in Malta. According to Wratislaw:

übervolle Glas Gift trinken sie aus der Hand der Tyrannen, werden davon verwirrt und verlieren das Bewußtsein."

88 İsmet Parmaksızoğlu, "Bir Türk Kadısının Esaret Hatıraları," *Tarih Dergisi* 5 (1953): 83. On the living conditions at the Arsenal Prison in Istanbul, further see Nida Nebahat Nalçacı, *Sultanın Kulları: Erken Modern Dönem İstanbul'unda Savaş Esirleri ve Zorunlu İstihdam.* Istanbul: Verita, 2015, 78–85 and Esra Mumcu, "Tersane Zindanı" (MA thesis, Balıkesir University, 2016), 48–74; on the Grand Prigione, see David Borg-Muscat, "Prison life in Malta in the 18th Century: Valletta's Gran Prigione," *Storja* (2001): 42–51.

89 Suraiya Faroqhi, *The Ottoman Empire and the World Around It*, 245; Wratislaw, *Adventures,* 140. Book III 109–78 describes captivity and life at the Tersāne Zindanı.

90 Wratislaw, *Adventures,* 133.

91 On petitions submitted by former captives who returned to Muscovy, see Christoph Witzenrath's study in this volume.

> Learning that we had a priest amongst us, they treated him very reverentially. Seeing him tormented by illness, all the artisans gave in a written petition to the pasha in command of the guard, and besought that the priest might be released from chains, till he recovered, engaging, on his behalf, that he should not escape. The pasha listened to their request, and ordered him to be released, …[92]

Hindī Mahmūd composed a comprehensive poem in 8,000 couplets dedicated to Sultan Murād III[93] in order to ensure his liberation by paying a ransom value by the Ottoman authorities to the Knights of Malta. Likewise, Mācuncuzāde wrote petitions in form of poems from Malta to Sultan Meḥmed III and the Queen Mother Safiye Sultan.[94]

Deployment at the Fortress and Construction Works

In the *Chronicle of Naʿīmā*, the section describing the reconquest of the island of Lemnos (*feṯḥ-i Cezīre-i Limni*)[95] in 1657 deals with the fate of circa 500 galley slaves who were deployed in the defence of the fortress: "[The Ottoman army] captured and shackled about 500 galley slaves who were then dispatched to support the defence of the fortress" *(beş yüz ḳadar forṣāları esīr ve der zencīr ėtdiler)*.[96] This seems to prove that galley slaves' service was expandable, namely, they could be deployed on land and for purposes of defense in a fortress, where we may assume, they had more opportunities to practice their talents than in the galleys. Referring to a document from 1782, Nida N. Nalçacı mentions that slaves from the *bagno* were transported to Aegean Foça in order to deploy them at the fortress there (most likely in construction work).[97]

The employment of galley slaves during the winter months is found in many records[98] as well as in narratives of Wratislaw and Heberer. The galley slaves worked either directly at the Imperial Arsenal in shipbuilding and in several other jobs[99] or were transported to construction sites in the city. The most relevant and comprehensive study on this matter is still Ömer Lütfi Barkan's two volumes on

92 Wratislaw, *Adventures,* 132.
93 Karataş, "Bir İnebahtı Gâzisinin," 21–22.
94 On a detailed analysis of Mācuncuzāde's ransoming process and the role of brokers, see White, *Piracy and Law*, 78–84.
95 *Tārīḫ-i Naʿīmā*, vol. VI, 317–19. The initial conquest was in 1456. The island changed hands between the Ottomans and the Venetians over the centuries.
96 *Tārīḫ-i Naʿīmā*, vol. VI, 319. ʿAbdurrahmān ʿAbdī Pasha reports in his *Veḳāyiʿnāme* only a few lines on the successful siege. See, *Abdi Paşa Vekâyiʿ-Nâmesi*, 115.
97 Nalçacı, *Sultanın Kulları,* 70.
98 Bostan, *Osmanlı Bahriye Teşkilatı.*
99 Faroqhi, The Ottoman Empire and the World Around It, 131, Nalçacı, *Sultanın Kulları,* 68–70.

the construction of the Süleymaniye Mosque and its public soup kitchen.[100] Barkan was the first to recognize that the slaves concerned normally worked on the galleys.[101] These deployments show, first of all that galley slaves already possessed some craft skills or learned them at work. In addition to the known written material, Esra Mumcu discovered new archival documents from the 18th century showing a variety of deployments of the prisoners at the *bagno* outside the Arsenal.[102] When servants died at the Old Palace (*Sarāy-ı ʿAtik*), new slaves from the *bagno* were requested (according to the documents dated 1715 and 1771). Likewise, in 1763, two slaves from the Arsenal Prison were requested to the New Palace (*Sarāy-ı Cedīd*), where 24 persons from the *bagno* were already in service, though two had obviously run away.[103] In her study of the slaves at the Imperial Arsenal, Nalçacı demonstrates a number of other fields of deployment: slaves worked in the mines, in the ice trade (according to Heberer), and for the fire brigade.[104] An interesting field of deployment is, Nalçacı indicates, in the intelligence service for the opponents of the Ottoman state who were informed by the slaves kept at the *bagno* about activities of the Ottoman fleet.[105]

Ransoming and Exchange

The ransoming process can be considered as galley slave agency, albeit in most cases probably as indirect agency, since the slaves themselves were not able to play an active role in their ransoming. Due to the high number of war prisoners both of the Republic of Venice and the Ottoman State, ransoming even became the part of peace agreements.

In her study of enslavement and ransoming in the Papal State, Nicole Priesching points out that all three Abrahamic religions practiced the redemption of fellow believers, although they developed different methods. In Medieval Christianity, some monastic orders almost made a specialty of the redemption of Christian captives.[106] Muslims on the other hand did not develop any state or

100 Ömer Lütfi Barkan, *Süleymaniye Cami ve İmareti İnşaatı*, 2 vols. (Ankara: Türk Tarih Kurumu, 1972–1979), see especially vol. 1, 93 and 132–37.

101 Barkan, *Süleymaniye Cami ve İmareti,* 133.

102 Mumcu, "Tersane Zindanı," 81–83.

103 Mumcu, "Tersane Zindanı," 82–83.

104 Nalçacı, *Sultanın Kulları,* 77–78.

105 Nalçacı, *Sultanın Kulları*, 76.

106 Priesching, Nicole. *Von Menschenfängern und Menschenfischern: Sklaverei und Loskauf im Kirchenstaat des 16.–18. Jahrhunderts* (Hildesheim: Georg Olms Verlag, 2012), 235–430. On the Archconfraternity of Gonfalone and their ransoming activities (financing, alms-collections for ransoming in Algeria), see 339–64. Priesching states that the beginnings of religious ransoming date back to the orders of knights. The two most significant orders

religious organization for the ransoming of captives, but the Ottomans did try to buy the freedom of their fellow believers with the help of friends, family, or negotiating traders. Especially in the border regions, there were special agents who had turned the redemption of slaves of various faiths into a professional business. Corsairs would also both capture or redeem slaves, so their activities and the redemption were complementing one another and formed an economic circle.[107]

An entry dated 6 December 1744 in the register of the Jesuit community indicates that the Maltese Carlo di Mezzi, who served in Lupetta's galley, was exchanged for a "Turk" named Ismail. Obviously part of an additional request, a ransom value of 269 *ḳuruş* was determined to be paid by the Priest Charrot.[108] That same month several other galley slaves were ransomed ("plusieurs galériens ont été délivrés de différentes galères").[109]

A failed negotiation attempted by the Venetian side is the subject of the following account in Naʿīmā's chronicle. Even though it does not provide direct information about galley slaves, it does give a glimpse of ransoming negotiations. The section is entitled "Victory of the Commander Against the Infidels of Crete" (*ġalebe-i serdār be-küffār-ı Girid*):

> During the first three days of *şabān* [1059] (10–12 August 1650), the general of Heraklion (Kandiye), of the same rank as the financial officer (*defterdār*) of the unbelievers, came to meet with the patriarchal envoy accompanied by many men, and both went to meet the commander. The commander in charge of the hostilities had his men line up in full gear to make an orderly and splendid appearance (*tertīb ü ārāyiş*). The meeting of the two envoys, however, took a bad turn: [Someone from the opposite side said:] "War and tumult (*ceng ü āşūb*) will continue indefinitely. Let us agree that you release the general's captured (*ahz u mahbūs*) son as well as the governor of Ayia Mavri (Ayamavri) and the other prisoners and [in turn we release] the Muslim slaves by your orders. As of today, it shall be laid down by a mutual agreement (*ḳānūn-ı muḳaddem*) that whoever is captured by either side, the value of each shall be determined as 300 *ḳuruş*. Those who are captured among you shall each pay 100 and [another] 200 shall be contributed from our St. Mark's (Ayamarko) property. What they call Ayamarko is a sculpture in Heraklion like St. Johann in Malta which they worshiped. The enemy dedicated major property to him and generated substantial income from it."
>
> Without hearing this through to the end, the renowned commander replied: "We are not going to ransom (*ıtlāḳ ėtmezüz*) the general's son and we definitely do not intend to release (*ḫalāṣ olmak*) the governor of Ayia Mavri. Furthermore, as to the captives (*esīr*

which had been founded especially for the ransoming of captured slaves were the Trinitarians and the Mercedarians. See Priesching, *Von Menschenfängern*, 237.

107 Priesching, *Sklaverei und Loskauf,* 436. Not on directly related to galley slaves, but on ransoming in generally see White's mesmerizing discussion in *Piracy and Law*, 71–99.

108 See the register for the year 1744 in Marmara, *La registra*, 17.

109 See the register for the year 1744 in Marmara, *La registra*, 17.

olanlar) from on our side, this is not a subject at all, since we have come here to fight for God. If you surrender the fortress completely and let go the claim to the entire island, we will give you safe conduct and dispatch you to a safe place to stay and keep quiet about it." Confronted with this response, the envoys oddly enough kept silent, their purpose being to spy on the army of Islam. They presumably decided to survey the surroundings and the vicinity in order to come back for a surprise attack one night. Coincidentally, at the same location, a well-known Croatian governor and a few thousand unbelievers (*bir kaç biñ kāfir*) had landed in support vessels (*imdād gemileri*) dispatched by the Venetian *bailo*. With their support, [the enemy army], for a while, had the intention to raid the [Ottoman] army. At the moment when it was decided that two captains should attack the [Ottoman] army, apparently, one unbeliever who had nurtured an enmity toward the other unbelievers for some reason secretly came out from the moat of the fortress and informed the commander [of the Ottoman army] when the enemy would attack. After he had accepted Islam, the vizier granted bestowals and soldiers to the new Muslim.[110]

The narration continues with a description of the attack and events on the battleground, from which the Ottoman army emerged victorious. The text passage reveals an aspect of ransoming, namely, the part of the ransom demand that should be raised by the individuals themselves. This was one way ransoming could be conducted, whereby the enslaved or captured person had full agency to pay the amount demanded.

In the register *"Noms des Esclaves du Bagne & des Galères, Qui sont morts, ou ont recouvré leur liberté, & Les mariages, baptèmes, convertis, rembarqués. Depuis environ l'an du Seigneur 1740,"* a register of the Jesuit community in Istanbul of the 18th century, discovered by Rinaldo Marmara, some entries substantiate that the galley slaves could afford their own ransom money fully or partly.[111] As the main purpose of keeping this register evidently shows, ransoming was one of the main pious activities of the Jesuits (and later the Lazarists). The members of the convent considered liberating slaves as a religious duty and therefore cared for the enslaved Western Christians, but not for the Christian convicts who were subjects of the Ottoman state and under its protection. This register allows us to identify a remarkable number of galley slaves, their names, age, geographical origin, the vessel on which they served, the duration of their life in slavery, and the amount of their ransom.[112] Between 1740 and 1775 a total of 269 slaves were liberated by the community, among them the highest number were Germans (*Allemands*) with 69 followed by Maltese, Spanish, and Napolitan

110 *Tārīḫ-i Naʿīmā*, vol. V, 22–23.

111 The register stems from the Archives des Lazaristes, Saint-Benoît, Istanbul. Rinaldo Marmara, *Le registre du bagne de Constantinople*, (Montpellier: Université Montpellier III, 2004).

112 Marmara, *Le registre*, see especially, 16–21.

galley slaves.[113] For example, on 22 January 1759, a Maltese slave named Antonino Lasala had rowed in the galley of Hasan Pasha from Negroponte (present-day Euboea) 31 years and the value of his ransom was determined to be 800 *ḳuruş*, 500 *ḳuruş* of which came from his own money, 300 *ḳuruş* from the alms collected in Malta.[114] An interesting case is listed in the Jesuits' register for the year 1759 on the register date 30 May, that Gioseppe Muzzorotto, a 68-year-old Venetian, was liberated without any demand for ransom money. The reason given is "because of his good labor" ("a obtenu gratuitement sa liberté en raison de ses bons services").[115] What "bons services" exactly means is unclear; it is next to impossible that at this age Gioseppe was still rowing in the galley of Mandal Beğ from Rhodos. He must have been deployed otherwise within or outside the Arsenal. However, his old age must have been a reason for his being liberated, although a fellow slave, Filippo, at the age of 85 and after having worked for 55 years, had to pay 300 *ḳuruş* for his ransom from his own money, as the register shows for the year 1759.[116] Perhaps the ransom value was requested since he apparently already had money.

Whereas theoretically there were further ways of ransoming that envoys or ambassadors could use to raise ransom money, the activities of the communities were very elaborate. They established foundations such as The Foundation of the Berchini family. Count Nicolas Berchini, who died on 5 October 1725, bequeathed 3,000 piastres to the mission of Constantinople stipulating—among others—that on 9 August of each year 100 piastres were to be given to the slaves of the Arsenal Prison, preferably Hungarians if they were anyamong the slaves.[117] The Foundation register of the Jesuit community kept in the Archives of the Lasaret Community, Saint-Benoit in Istanbul, also reveals why the above-mentioned number of liberated Germans was the highest: The purpose of a foundation established by Cardinal Kollonitsch and by Count of Sallabourg was exactly to liberate those who were "subject to Their Imperial Royal Majesties."[118]

113 Marmara, *Le registre*, 32.
114 Marmara, *Le registre*, 20.
115 Marmara, *Le registre*, 21.
116 Marmara, *Le registre*, 20.
117 For this and further documents, see Marmara, *Le registre*, 55–56.
118 On the German foundations, see Marmara, *Le registre*, 56–58.

Conversion

The term "*Türk oldı*" ([He] became a Turk), which means a slave converted to Islam, appears frequently in Western European sources.[119] This, however, became problematic for persons who tried to escape slavery or to return to their native home, since Western Christians then did not regard renegades as fellow countrymen or co-religionist anymore. Non-Muslim prisoners of war, who were not subjects of the Ottoman Empire, were released from rowing when they converted to Islam. In addition, many rowers succumbed to the bad sanitary conditions and hard work, which contributed the general lack of manpower. Some of the reasons for departures can be found in the above-mentioned register of the Jesuit community in Istanbul.

We have more data at our disposal concerning the circumstances of conversion of Muslim slaves on the galleys of the other sea powers. Priesching's study of the fleet of the Papal State demonstrates that not only Jews and Muslims, but also Muslim slaves converted to Catholicism between 1614 and 1798, which raises the question whether the slaves sought these conversions in order to regain their liberty. There is no clear answer to this question since there is no generally applicable pattern to the connection between conversion and freedom for Muslim slaves in Rome.[120] In the 17th century, about one-third of the Muslims came from the eastern part of the Ottoman Empire, another third from Dalmatia, Bosnia, Albania, and North Africa, whereas in the course of the 18th century, the slaves came mainly from Africa. The converted Muslims were primarily private slaves. In the 17th century, 684 private and 49 galley slaves were baptized, in the 18th century, 210 private and 84 galley slaves are recorded.[121] A baptism was celebrated as the triumph of true religion and also increased the reputation of the owner, who was able to underline his positive influence on his slaves. Thus, it seems to be reasonable to assume that baptisms were more common with private than with galley slaves, who were subordinate to the state, and thus to the ruler, and subject to various different interests. This also agrees with the data gathered from baptismal registers. Ransomed galley slaves would have had economic consequences, because Christian fleets were always short of slaves. Also, a bap-

119 Wratislaw tells of the Ottoman captain on whose galley he rowed: "Achmet, the *reis*, or captain, who commanded on board the vessel, a Christian born in Italy, but who had now become a Turk …" *Adventures of Baron Wenceslas Wratislaw*, 138.

120 Nicole Priesching,"Taufe als Weg in die Freiheit? Konversionen muslimischer Sklaven im frühneuzeitlichen Rom," in *Barocke Bekehrungen: Konversionsszenarien im Rom der Frühen Neuzeit*, ed. Ricarda Matheus, Elisabeth Oy-Marra, and Klaus Pietschmann (Bielefeld: Transcript Verlag, 2013), 45. On conversion of Muslim slaves and galley slaves in Rom, see also Priesching, *Von Menschenfängern*, 209–21.

121 Priesching, "Taufe als Weg," 50.

tism without an ensuing release involved a risk to the ruler, since if too many galley slaves converted, there would be diplomatic complications.[122]

Resistance

As "most dramatic form of slave resistance,"[123] slave rebellion is part of all forms of slavery throughout history. A great fear of the slave masters, it only helped to aggravate the mechanism of control.[124] Unlike the Atlantic slave rebellions, in the premodern Mediterranean world it is difficult to say whether these rebellions eventually led to the end of the slavery system, or only to facilitate the escape and liberation of the slaves themselves. When a ship's crew consisted mostly of slaves, the possibility of rebellion and escape was always present. The best occasion to do so was to seize the opportunity during a battle and the capturing of the vessel by the enemy. Hence, security measures were high, e. g. all men were shackled during battle to prevent them going over to the enemy. Emrah Safa Gürkan references a journal article in the *Gazette de France* dated 9 November 1645 about an Ottoman sailing ship that was separated from the other 19 vessels during a storm at the Port of Chania in 1645. Since the Muslim crew had amused themselves and consequently forgot to shackle the slaves, 24 slaves killed the captain and six or seven men, shackled 25 Muslim crew members and escaped to Genova, where they were rewarded.[125] According to André Zysberg's study on convicts sentenced to row in the galleys of the King of France, few tried to escape (less than 2%) since the sentences were less than two years,[126] i. e. relatively short in comparison to the Ottoman practice of from one to eight years.[127] Running away from the *bagno* occurred according to some entries in the register of the Istanbuler Jesuits. In the list for 6 December 1744, the Venetian Marco Pacelir is registered as a fugitive (échappé);[128] a Cypriot Pietro Maronita who rowed in Lala Pasha's galley obviously ran away in 1745.[129] According to Naʿīmā, Janissaries celebrated the

122 Priesching, "Taufe als Weg," 59–60.

123 Trevor Burnard and Gad Heuman, "Introduction," in *The Routledge History of Slavery*, ed. Gad Heuman and Trevor Burnard (London: Routledge, 2012), 12.

124 On active and passive resistant as well as using religion to help organize rebellions in Americas, see Gad Heuman, "Slave Rebellions," in *The Routledge History of Slavery*, ed. Gad Heuman and Trevor Burnard (London: Routledge, 2012), 220–33.

125 Emrah Safa Gürkan, *Sultanın Korsanları: Osmanlı Akdenizi'nde Gazâ, Yağma ve Esaret, 1500–1700* (Istanbul: Kronik Kitap, 2018), 216–17.

126 André Zysberg, *Les Galériens: Vies et destins des 60 000 forçats sur les galères de France 1680–1748* (Paris: Editions du Seuil, 1987), 43.

127 Zarinebaf, Crime and Punishment, 165.

128 Marmara, *La register*, 17.

129 Marmara, *La register*, 17. A further entry for escape is for the year 1756, 20.

enthronement of Muṣṭafā I following the dismissal of ʿOs̲mān II on 19 May 1622 by marching to both the Galata and Baba Cafʿer prisons[130] and liberated all the inmates, the majority of whom must have been galley slaves. They also proceeded to liberating the "convicts in stone [transport] vessels and the Arsenal Prison."[131]

In a rare piracy narrative from the 17th century,[132] more skillful rowers were necessary for a planned rebellion at sea: "… the galleon that had arrived at the port recruited 25 brave guys in a single day who were experienced with the things of sea and had been around as galley slaves in the frigates in the past."[133]

The following entry of the *mühimme* register of the years 1617–18 recounts the claims of a returned captive after seven 7 years. However, we do not know whether his liberation was achieved by ransoming or escape:

> Ḥüseyn Efendi [the scribe]
> Order to the Kadi of Sığla:[134]
> A petition has been submitted to my Gate of Felicity that the person named [?] lent one of his trade ships to Hācī Hasan Reʿīs and himself worked on his other ship. At sea, he encountered the enemy, who captured his ship and him. During his captivity, Hasan Reʿīs used his ship for seven years and made a profit. [When the captured person], not a captive anymore, claimed his rights, however, Hasan Reʿīs destroyed his ship, sold all its equipment. [When the person] claimed his ship and his profit, however, Hasan Reʿīs avoided recognizing his claims under some pretext. The relevant experts are present in Istanbul; since all issues of ship operators are customarily negotiated in front of the experts, I order that the petition for a noble order [be answered accordingly]: Upon arrival, you should tackle this issue, investigate it correctly on the spot, and recover the rights. If he refuses, dispatch him to my Abode of Felicity, so that [the issue] can be processed in accordance with the laws by the experts and his righteous claims can recovered.[135]

130 On this dungeon, see Semavi Eyice, "Baba Cafer Zindanı," in *Dünden Bugüne Istanbul Ansiklopedisi*, vol. I, 516.

131 *Tārīḫ-i Naʿīmā*, vol. II, 220–21: *Veʿasker şükrāne-i cülūs Baba Caʿfer zindānına varub anda ve Ġalaṭa zindānında olan maḥbusları iṭlāḳ ėtdiler ve ṭāş gemilerinde ve tersāne zindānında olan mücrimleri ṣalıvėrdiler.* Kātib Çelebi's version makes no mention of the Arsenal's prison. See Kâtib Çelebi, *Fezleke*, vol. II, 555.

132 The narrative was written down by a slave called Yusuf and sent to his master in Cairo. It is not clear whether this story is true. Nevertheless, regardless the existence of the persons, the narrative imparts a vivid, true picture of the life of an Ottoman seafarer and pirate in the 17th century. Further, the story's author is very familiar with all aspects of naval affairs. See Andreas Tietze, "Die Geschichte vom Kerkermeister-Kapitän: Ein türkischer Seeräuberroman aus dem 17. Jahrhundert," *Acta Orientalia* 19 (1942): 157.

133 Tietze, "Kerkermeister-Kapitän," 182.

134 The *sancāḳ* (district) of the Province of the Admiral, i. e. *Cezāyir-i Baḥr-i Sefīd*; Sığla is today Izmir and the vicinity. See, Uzunçarşılı, *Merkez ve Bahriye Teşkilâtı*, 420.

135 *82 Numaralı Mühimme Defteri*, #203.

Stefan Hanß mentions a slave named Esteban Lopez de Avila, who escaped after 13 years' captivity in the disguise of an Ottoman und informed the Vice-King in Neapel about the Ottoman activities after Lepanto.[136] Hanß presents several lists of liberated Christian captives from the Ottoman galleys and their origins, pointing out that the liberated slaves fell into a new form of servility, especially household slavery.[137]

During the 1730 rebellion in Istanbul, the rebels marched to the Imperial Arsenal, the Rumelihisārı, and the Baba Ca'fer Prison and released many galley slaves as well as convicts, all of whom joined the rebels.[138]

In addition to rebellion the most active form of resistance many other less active practices can also be considered resistance, such as slowing down the work, i. e. practices in everyday life that are difficult to detect in our sources regarding galley slaves. However, a closer reading of available sources may provide more insights into a variety of further agencies of everyday life, such as Baron Wratislaw's description of when rowers could temporarily leave the ship:

> When they sail to some island where Christians live, you can sometimes beg or, if you have money, buy yourself a little wine and sometimes a little porridge or soup. So, too, when we rested one, two, three, or more days by the shore, we knitted gloves and stockings from cotton, sold them, and sometimes bought ourselves additional food, which we cooked ourselves in the vessel.[139]

Conclusion

Galley slavery was a common practice in the Mediterranean. From the perspective of dependency studies I argue that this kind of slavery was the most extreme form of asymmetric dependency generated by the social orders of the premodern Mediterranean world. When studying galley slavery, one must keep in mind the different dimensions of this phenomenon, i. e. the different life situations of the galley slaves. There is a prior stage when slaves had lived as free

136 See Stefan Hanß, "Lepanto als Ereignis: Dezentrierende Geschichte(n) der Seeschlacht von Lepanto (1571)," (PhD diss., Freie Universität Berlin, 2014), 536 cited from Giovanni Vollari, F. Ioannis vollari Neapol. theol. et minoritae oratio, […]. Neapel 1571. (AL, Turcica XIV.209/16000).

137 Hanß, "Lepanto als Ereignis," 571–72. Further, on the agencies of Muslim slaves after Lepanto, see Stefan Hanß, "Gefangen und versklavt: Muslimische Sklaven aus der Seeschlacht von Lepanto in Rom" in *Mediterranean Slavery Revisited (500–1800): Neue Perspektiven auf mediterrane Sklaverei (500–1800),* ed. Stefan Hanß and Juliane Schiel, with assistance from Claudia Schmid (Zürich: Chronos Verlag 2014), 337–79.

138 İsmail Hakkı Uzunçarşılı, *Osmanlı Tarihi*, vol. 4/1 (Ankara: Türk Tarih Kurumu, 2003), 204–5; Zarinebaf, *Crime and Punishment,* 55.

139 Wratislaw, *Adventures,* 140.

men and were not enslaved. No one was born into galley slavery; the slaves brought along their obtained knowledge, their skills, and their language to the new form of life.

To return to my initial question—whether there is a lack of agency (or interagency) in this form of dependent labor—the present study demonstrates that galley slaves probably operated within the tightest limits of agency among all other categories of dependency. However, there were still some practices within the system of interdependency which can be interpreted as providing room for maneuver: Agency as practice occurs, first of all, when galley slaves maintain the Mediterranean social order of seafaring powers by the mere act of rowing. The active role of the slaves when rowing in the galleys is the strongest agency. They were the driving force behind this enormous mechanism with all its military and economic aspects. Apart from this vantage point, agency occurs on two different levels: first, classical practices of agency that are easier to detect, such as resistance, ransoming, escape, and conversion. Resistance is a much-considered aspect of agency and a consistent concern when studying galley slaves, namely, whether they rebel against their captain and capture the ship and crew or whether they defect to the other side during a naval encounter. Furthermore, options for ransoming are presented by the sources as an integral part of any enslavement practice. Second, beyond these major categories of agency we find many further, smaller options for actions in their everyday life which can be detected in written sources between the lines. In addition to the toughest moments during battle where they had to row in absolute harmony and were shackled to secure the position, a number of human practices of everyday life—regardless of whether they were positive or negative nature—can be detected which occur in interactions with fellow rowers, i. e. agents and commanders; they vary depending on the respective context, i. e. whether they are at sea and do not need to row since there is enough wind, or whether they were docked for a few days; or whether they had the opportunity to buy provisions or maintain a small private business; or whether they were ashore during the winter months. A variety of deployment fields indicate mobility of space, so that new encounters and communications were routine. All in all, enslaved individuals for rowing on the galleys were still agents within the given social order of interaction and interdependencies.

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Palace Slaves

Jane Hathaway

The Ottoman Chief Harem Eunuch (*Darüssaade Ağası*) as Commissioner of Illuminated Manuscripts: The Slave as Patron, Subject, and Artist?

This contribution is related to, although it does not duplicate, my recently-published book *The Chief Eunuch of the Ottoman Harem: From African Slave to Power-Broker* (Cambridge, 2018). The bulk of one chapter of that book explores how the Chief Harem Eunuch was memorialized in miniature paintings included in various court-commissioned chronicles and festival books between the late 16th century and the early 18th century.[1] The current article takes this line of inquiry farther by examining the Chief Eunuch's role in commissioning, and perhaps producing, such manuscripts, as well as organizing the events that they commemorated. These activities contributed to the Chief Eunuch's agency on several different fronts and were arguably as important a component of his overall agency as his more overtly political, religious, and fiscal functions.

Background on the Chief Harem Eunuch and His Agency

The Chief Harem Eunuch, known in Ottoman Turkish as Darüssaade Ağası ("Commander of the Abode of Felicity," referring to the harem) or Kızlar Ağası ("Commander of the Girls"), was the head of the corps of mostly East African eunuchs who guarded the harem of Topkapı Palace in Istanbul. The office originated in 1588, when Sultan Murad III (r. 1574–95) transferred supervision of the imperial pious foundations for the Muslim holy cities of Mecca and Medina (Evkafü'l-Haremeyn or Haremeyn Evkafı in Ottoman Turkish, Awqāf al-Haramayn in Arabic) to the head of the harem eunuchs from the head of the white eunuchs who guarded Topkapı's Third Court, site of the sultan's privy chamber (*hass oda*). At the beginning of his reign, some fourteen years earlier, Murad had moved into the harem, more or less abandoning the privy chamber. As a result of his continuous presence, the harem's physical space expanded while its pop-

1 Jane Hathaway, *The Chief Eunuch of the Ottoman Harem: From African Slave to Power-Broker* (Cambridge: Cambridge University Press, 2018), 248–64.

ulation increased correspondingly. By the end of Murad's reign, some 1,200 women inhabited the harem: everyone from the sultan's mother (*valide sultan*), favorite concubine (*hasseki*), and unmarried sisters to secretaries, accountants, cooks, laundresses, and midwives. Meanwhile, the African eunuchs who patrolled the harem's outer corridors numbered somewhere between three and five hundred, over ten times the number of the white eunuchs of the Third Court.[2] Despite the numerical disparity, a rivalry simmered between the harem and the Third Court eunuchs. Notwithstanding their relatively small numbers, the Third Court eunuchs were the pool from which influential government officials were chosen, notably the head of the sultan's privy chamber (*hass oda başı*). On occasion, before the late 17th century, even the grand vizier came from their ranks.

All of these circumstances determined the types of agency that the Chief Harem Eunuch exercised and the means by which he could do so. Forming alliances with the sultan and, as opportunity dictated, with his mother and other members of the imperial household demonstrated his political agency. Supervision of the Evkafü'l-Haremeyn gave him unprecedented opportunities for economic agency since lands and properties in every province of the empire were endowed to these foundations, supplying revenue and grain to support pilgrims to Mecca and Medina, as well as impoverished residents of the cities.[3] Yet political agency accompanied this duty, as well, for the Chief Eunuch cultivated clients in all these provinces who could guarantee delivery of these revenues. In Egypt, provincial grandees competed for the tax farms of the endowed villages that supplied grain to the foundations; cultivating ties of clientage to the Chief Eunuch improved a grandee's chances of success.[4] Religious agency was also integral to this position, since in supervising these foundations and ensuring their vitality, the Chief Eunuch enhanced the sultan's status as Custodian of the Two Holy Sanctuaries, or Hadimü'l-Haremeyn (Khādim al-Haramayn in Arabic). He also endowed numerous religious and educational structures of his own in the various provinces that were connected to the Evkafü'l-Haremeyn.[5] In founding architectural monuments, by the same token, he combined economic agency, in the form of contributions to urban infrastructure, with religious and artistic agency, since a mosque or Qur'ān school obviously fulfilled a religious function while modeling a particular architectural style.

2 Hathaway, *Chief Eunuch*, 49, 52–54.

3 Hathaway, *Chief Eunuch*, 60–62.

4 Hathaway, *Chief Eunuch*, 165–70; Hathaway, *The Politics of Households in Ottoman Egypt: The Rise of the Qazdağlıs* (Cambridge: Cambridge University Press, 1997), 139–64; Hathaway, "The Role of the Kızlar Ağası in 17th–18th Century Ottoman Egypt," *Studia Islamica* 75 (1992): 145–57.

5 Hathaway, *Chief Eunuch*, 193–206, 210–15.

Commissioning illustrated manuscripts gave the Chief Harem Eunuch an unparalleled opportunity to exert artistic agency since, after all, the production of even one such work required the skills of numerous painters, calligraphers, paper-marblers, paper-joiners, gilders, and book-binders.[6] In providing employment for such a large number of skilled craftsmen, naturally, the Chief Eunuch was also exercising economic agency. Meanwhile, by encouraging these artists to emphasize certain themes and personages, he demonstrated political agency. But over and above all these influences, he demonstrated what we might call mnemonic agency in the sense of determining, or at least helping to shape, what events were officially commemorated and how. These choices had a direct effect on what came to be remembered from a given sultan's reign and, indeed, how a reign was remembered overall.

In the following sections, we trace the trajectory of the Chief Harem Eunuch's use of this form of artistic and mnemonic agency, beginning with the very first Chief Eunuch, Habeshi Mehmed Agha, in the late 16th century. We proceed through the era of society-wide crisis in the first half of the 17th century, and through the reforms of the Köprülü family of grand viziers in the latter half of that century, to the period of cosmopolitanism and elite consumption of western European luxury goods in the early 18th century. While we may classify changes in the Chief Eunuch's patterns of artistic patronage according to political periodization, these patterns also reflect shifting tastes in artistic and literary genres at the Ottoman court, as, for example, festival books gave way to pastiche albums and illustrated narratives gave way to prose annals emphasizing turnover of offices and military campaigns.

Habeshi Mehmed Agha (term 1574–91) and Illustrated Court Chronicles

Not coincidentally, the first Chief Harem Eunuch, Habeshi Mehmed Agha, took a very active role in commissioning illustrated manuscripts, setting a lasting precedent. He assumed the office in 1574, on the accession of Sultan Murad III, to whom he had been close since Murad was a prince. As noted above, Murad was the first sultan to move into the harem, rather than spending his time while resident in the palace in the privy chamber toward the rear of the Third Court. His reign marks the beginning of the ascendancy of the harem eunuchs, headed by the Chief Harem Eunuch, over the white eunuchs of the Third Court.

6 See, for example, Emine Fetvacı, *Picturing History at the Ottoman Court* (Bloomington, IN: Indiana University Press, 2013), 71–78.

Art historians regard Murad III's reign as something of a golden age for the production of illustrated manuscripts. The palace painting atelier, founded under Süleyman I and probably located just outside the palace grounds, reached the height of its productivity during Murad's reign, to the extent that for special projects, the court hired additional painters and installed them in an auxiliary atelier in the palace's First Court.[7] A team of the most talented artists and craftsmen in the empire produced lavish manuscripts of histories of the empire, as well as manuscripts of the newly popular genre of religious works, particularly the life of the Prophet Muhammad, epitomized by a justifiably famous illustrated manuscript of the late 14th-century Sufi poet Mustafa al-Darir's *Siyer-i Nebi* (The Life of the Prophet).[8]

Habeshi Mehmed probably had a major role in directing the palace painting atelier, although of course there was a "master painter" who oversaw actual production, as well as a team of subordinate painters, calligraphers, and affiliated artists and craftsmen. Habeshi Mehmed commissioned several major works and is depicted, albeit sparingly, in several of them. Art historian Emine Fetvacı has argued that each of these works conveys a specific message about the nature of the Ottoman dynasty and the ruling sultan, Murad III. Collectively, they glorify Murad and portray him as the culmination of a dynasty whose dominance of the Muslim world was foreordained.[9] Here, we consider two works that convey this image of the sultan with equal force, but in very different ways, while featuring the Chief Eunuch as an indispensable component of the sultan's function.

The *Şahanşahname* (1581)

One of Habeshi Mehmed Agha's earliest commissions, before he assumed supervision of the Haremeyn Evkafı, was the illustrated history of Murad III's reign up to that point, tellingly entitled *Şahanşahname* (*Book of the King of Kings*). The text of this work was composed by Seyyid Lokman, who by this time was the

7 Fetvacı, *Picturing History*, 74, 150; Alan W. Fisher and Carol G. Fisher, "A Note on the Location of the Royal Ottoman Painting Ateliers," *Muqarnas* 3 (1985): 118–20; Filiz Çağman, "Saray Nakkaşhanesinin Yeri Üzerine Düşünceler," in *Sanat Tarihinde Doğudan Batıya: Ünsal Yücel Anısına Sempozyum Bildirileri* (Istanbul: Sandoz Kültür Yayınları, 1989), 35–46; Zeren Tanındı, "Manuscript Production in the Ottoman Palace Workshop," *Manuscripts of the Middle East* 5 (1990–91): 67–98; Tanındı, "Topkapı Sarayı'nın Ağaları ve Kitaplar," *Uludağ Üniversitesi Fen-Edebiyat Fakültesi Sosyal Bilimler Dergisi* 3 (2002): 42–46; Topçular Katibi, *Topçular Kâtibi 'Abdülkadir (Kadrî) Efendi Tarihi: Metin ve Tahlil*, ed. Ziya Yılmazer, vol. 1 (Ankara: Türk Tarih Kurumu, 2003), 654, 664.

8 Zeren Tanındı, Siyer-i Nebi: *İslam Tasvir Sanatında Hz. Muhammed'in Hayatı* (Istanbul: Hürriyet Vakfı Yayınları, 1984).

9 Fetvacı, *Picturing History*, 149–50, 153–88.

Figure 1. Habeshi Mehmed Agha at Sokollu Mehmed Pasha's Deathbed. From Lokman, *Şahanşahname*, vol. 1 (1581). Istanbul University Library, MS F. 1404, fol. 133a. By permission of Istanbul University Library.

şehnameci, the official chronicler of the sultan's reign. In the manuscript, Habeshi Mehmed appears in a series of four extraordinary miniatures concerning the 1579 assassination of the powerful Bosnian Serb grand vizier Sokollu Mehmed Pasha, who at the time of his fatal stabbing had been grand vizier for fourteen years, serving three different sultans.[10] The paintings show the eunuch riding to visit the mortally wounded grand vizier, ministering to Sokollu on his deathbed, reporting to the sultan on the case, and apprehending the assassin. As portrayed here, in other words, he is the hero who literally rides in and saves the state after this disaster. The painter, probably Nakkash Osman, the greatest

10 Fetvacı, *Picturing History*, 160.

miniaturist of that era, positions Habeshi Mehmed at the center of one painting after another, skin a dull grey-brown, positioned higher on the page than anyone except the sultan and the Janissary agha. In the deathbed scene, Habeshi Mehmed utterly dominates Sokollu's comatose figure (Figure 1), as if to show that even the most powerful grand vizier passes from the scene while the Ottoman state, as embodied by Habeshi Mehmed, representing the sultan, abides.

The *Surname-i Hümayun* (1588)

Some seven years later, Nakkash Osman supervised the preparation of miniatures for a lavish *Surname*, or Festival Book, commemorating the 1582 circumcision of Murad III's son, the future Mehmed III (r. 1595–1603). This is the most famous illustrated work of Murad's reign and one of the most famous in Ottoman history. Particularly well-known are the many paintings in which craft organizations parade through Istanbul's hippodrome as the sultan and Prince Mehmed watch from the balcony of the palace built by Ibrahim Pasha, Süleyman I's ill-fated grand vizier (term 1523–36). Here, the prince, despite being the reason for the entire extravaganza, appears as a pale, miniscule figure to the sultan's left. Clearly, his father, the sultan, is the center of attention in these paintings, which highlight his munificence as the benefactor of all these artisans.

Habeshi Mehmed Agha is mentioned only once in the text of the *Surname:* right at the beginning of the work, where he is called simply "Mehmed Agha." The work's author, the poet İntizami, does not employ the title Darüssaade Ağası, one bit of evidence that this title, which Habeshi Mehmed received that same year, was not yet in general use. Nonetheless, İntizami points out that Mehmed Agha is the sultan's *vekil*, or agent, who presided over this gathering of government officials.[11] Likewise, although Habeshi Mehmed appears in only a single miniature, at the very end of the work, it is a telling scene in which he and the eunuch dwarf Zeyrek Agha receive İntizami. Both İntizami and Habeshi Mehmed hold bound copies of the *Surname*, as if to underline the point that Habeshi Mehmed interceded with the sultan to win the *Surname* commission for the poet, who was not terribly well-known at court.[12]

In both these works, Habeshi Mehmed acts as the sultan's agent, even though he is named as such only in the text of the *Surname.* In the *Şahanşahname*, he stands in for the Ottoman ruler—and by extension the dynasty as a whole—who

11 İntizami, *Surname-i Hümayun*, in *Osmanlı Saray Düğünleri ve Şenlikleri*, ed. Mehmet Arslan, vol. 2 (Istanbul: Sarayburnu Kitaplığı, 2009), 122 n. (folio 2a of the manuscript).

12 Fetvacı, *Picturing History*, 176–77; Tanındı, "Topkapı Sarayı'nın," 44–45; Tanındı, "Bibliophile Aghas (Eunuchs) at Topkapı Sarayı," *Muqarnas* 21 (2004): 337–38.

transcends the tenure of any individual grand vizier, even one as powerful as Sokollu Mehmed Pasha. In the *Surname*, his role takes place mainly behind the scenes, yet it is no less critical, for he makes possible both the celebrations that give the sultan's generosity public visibility and the manuscript that documents this generosity for posterity, in both poetry and image.

The 17th-Century Crisis

In the early 17th century, the Ottoman Empire suffered through a major, multi-pronged crisis, which affected most of the globe in various forms. In Ottoman lands, this crisis was at once military, economic, climatic, demographic, and dynastic.[13] War, particularly against the Habsburg Empire, and rebellion were near-constants while inflation, drought, and unseasonable cold raged. In the palace, meanwhile, after the extraordinarily lengthy reigns of Süleyman I (1520–66) and Murad III (1574–95), sultans came to the throne at tender ages and departed or died after only a few years. We would naturally assume that in such a fraught atmosphere, spending money on lavish, palace atelier-produced illustrated manuscripts would have been regarded as the height of frivolity and waste. Nonetheless, such manuscripts were produced. However, the range of styles and subject matter was more eclectic, encompassing wider-ranging Ottoman histories, a Turkish reworking of the Persian national epic, the *Shahname*, and a new genre: the pastiche album. Emine Fetvacı has argued, in fact, that the pastiche album was the defining genre of this era, which featured a new worldly eclecticism, despite the political and economic turmoil.[14] A key initiator and facilitator of these works was the long-serving and extraordinarily powerful Chief Eunuch el-Hajj Mustafa Agha (terms 1605–20, 1623–24).

The main surviving pastiche album is one prepared for Ahmed I (r. 1603–17) by Kalender Pasha (d. 1616), a talented finance official who became superintendent of the construction of the Sultan Ahmed Mosque through el-Hajj Mustafa Agha's intervention.[15] Fetvacı has studied this album intensively and is preparing a book on it. As her research demonstrates, the album is a composite of

13 For a summary, see Jane Hathaway, *The Arab Lands under Ottoman Rule*, with contributions by Karl K. Barbir (Harlow, U.K.: Pearson Longman, 2008), 62–70. On the global crisis, see Geoffrey Parker, *Global Crisis: War, Climate Change, and Catastrophe in the Seventeenth Century* (New Haven: Yale University Press, 2013).

14 Emine Fetvacı, "Enriched Narratives and Empowered Images in Seventeenth-Century Ottoman Manuscripts," *Ars Orientalis* 40 (2011): 243, 244, 258–62.

15 Fetvacı, "Enriched Narratives," 245; Tülay Artan, "Arts and Architecture," in *The Cambridge History of Turkey*. Volume 3: The Later Ottoman Empire, 1683–1839, ed. Suraiya Faroqhi (Cambridge: Cambridge University Press, 2006), 415–19.

images of various types of people, from a global selection, and is clearly designed to be experienced in a *meclis* (Arabic, *majlis*), or reading group, in which the participants sample various pages of the work out of sequence, dipping in and out and flipping back and forth, as opposed to "reading" straight through.[16] Some images are even placed upside-down on the page, signaling that the book is to be turned for closer observation. Mustafa Agha appears on one page of this album, in a row of portraits of courtiers, alongside Sultan Ahmed. His position on this page mimics his actual position at the sultan's court: he stands to Ahmed's left while the *silāhdār*, or sultan's sword-bearer, stands to his right.

Despite the newfound popularity of pastiche albums during his tenure, however, el-Hajj Mustafa Agha's patronage extended well beyond this genre. He was behind a new Turkish translation of the *Shahname*, the Persian "epic of the kings," that the teenaged Sultan Osman II (r. 1617–22) commissioned. The author was one Dervish Hasan Medhi, a chronicle-reader and story-teller (*meddāh*) who had been a fixture at the Ottoman court since the reign of Murad III. As Tülün Değirmenci has shown, Mustafa Agha was his patron and recommended him to Osman II. The painters who illustrated this work are unknown, but it was certainly prepared in the palace atelier. The calligrapher who wrote the text was a well-known court calligrapher known as Çevri.[17]

Medhi did not so much translate the *Shahname* as rework the stories in such a way as to make points about Osman II's right to the throne through parallels between the sultan and the mythical heroes of the Persian work, such as the culture hero Hushang, who defeats an army of demons, then discovers fire, and Feridun, the prince who defeats the "dragon king" Zahhak.[18] Meanwhile Osman's uncle, Sultan Mustafa I, who reigned briefly in 1617 and again after Osman's deposition and murder, is cast as one or another villain or nemesis of the piece, including Zahhak. Medhi also added an introductory section explaining how Osman II finally took the throne after the disaster of Mustafa I's brief first reign.[19] The chief illustration of this section is an extraordinary enthronement scene, which divides the court between the African eunuchs of the harem and the white eunuchs of the Third Court, with the sultan's throne on the "harem" side of the picture (Figure 2). El-Hajj Mustafa Agha is positioned closer to Osman II than anyone else in the painting and higher in the picture plane than almost anyone but the sultan: only infinitesimally lower than the *silāhdār* and the other non-eunuch officers of the sultan's privy chamber, higher and closer to the throne

16 Fetvacı, "Enriched Narratives," 244–45, 254, 255, 257.

17 Tülün Değirmenci, *İktidar Oyunları ve Resimli Kitaplar: II. Osman Devrinde Değişen Güç Simgeleri* (Istanbul: Kitap Yayınevi, 2012), 100, 103, 108.

18 Değirmenci, *İktidar Oyunları*, 135, 119–21. See also Abolqasem Ferdowsi, *Shahnameh: The Persian Book of Kings*, trans. Dick Davis (London: Penguin Books, 2006), 2–4, 9–27.

19 Değirmenci, *İktidar Oyunları*, 112–13.

than the Kapı Ağası, or Chief Threshold Eunuch. His skin is paler than that of his assistant, who is holding Mustafa's prayer beads (*tesbih*) and the presentation copy of the translated *Shahname*. The population of harem eunuchs is larger than that of the Third Court eunuchs, and their appearances are more varied, with more shades of skin color and more varied facial expressions. As Değirmenci points out, a separate copy of the work was prepared for el-Hajj Mustafa's personal library, but it was left unfinished when the eunuch was exiled to Egypt at the behest of the new grand vizier. He remained in exile until 1623, when he returned to the court under Murad IV.[20]

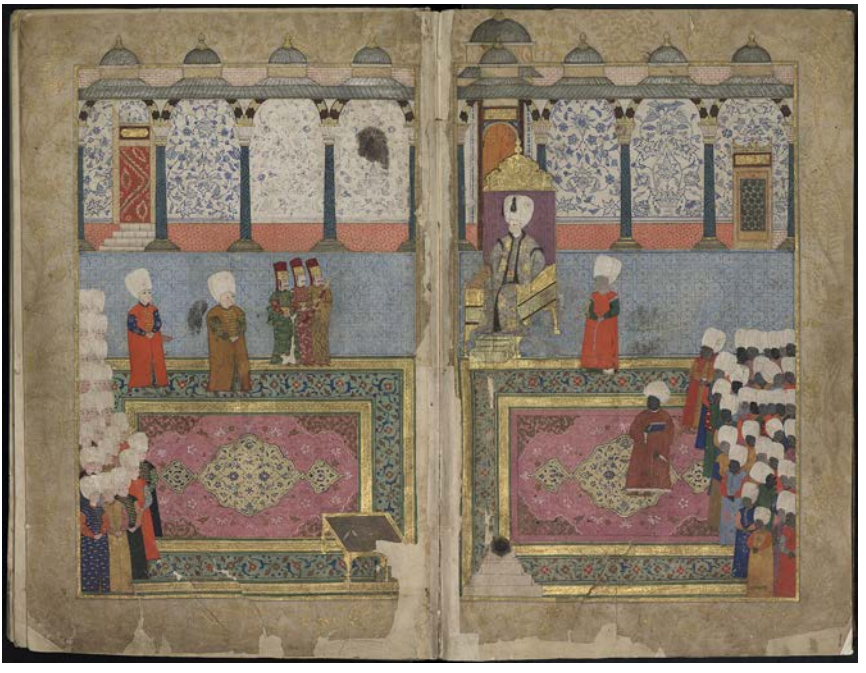

Figure 2. Osman II with Harem and Third Court Eunuchs. From Mehdi, *Şehname-i Türki*, Uppsala University Library, MS O. Celsig 1, fols. 1b–2a. By permission of Uppsala University Library.

El-Hajj Mustafa Agha was replaced, temporarily, by Süleyman Agha, who appears to have been his protégé—a rare circumstance for successors to the Chief Eunuch. By all accounts, Süleyman was extremely close to the youthful Sultan Osman II and accompanied him everywhere. He appears very prominently in a more conventional dynastic history prepared by the poet Nadiri.[21] It is also called

20 Değirmenci, *İktidar Oyunları*, 122–23, 127; Hathaway, *Chief Eunuch*, 91, 93.
21 Değirmenci, *İktidar Oyunları*, 171–73.

Şehname, but in the sense of a chronicle of the "kings" of the Ottoman dynasty, as opposed to the ancient Persian kings. As Değirmenci points out, this is not a chronicle of the reign of Osman II. Instead, the text, in the form of a *mesnevi* (*mathnawi* in Arabic)—an epic poem consisting of rhyming couplets—covers events going back to the reign of Mehmed III (1595–1603) and includes lengthy accounts of the exploits of several prominent pashas. The several illustrations showing Osman II concern his 1621 campaign to take Hotin, the massive fortress on the Dniester River in what is now western Ukraine, away from the Commonwealth of Poland and Lithuania. This campaign, which Osman II led in person, ended inconclusively, with the fortress still in Commonwealth hands and massive losses on both sides. A third of the Ottoman army, some 40,000 men, perished. Nadiri, however, celebrates the incident as an Ottoman victory.

Near Osman in every single painting in which he appears is a tall, slender African eunuch. Although this person is never mentioned in the text, he is surely Süleyman Agha—here on horseback in the Chief Harem Eunuch's customary position on the sultan's left, mingling with the officers of the privy chamber. Given the discrepancy between text and paintings, we might deduce that the painter was closer to Süleyman Agha than the poet Nadiri was, but since the identity of the painter is not known, it is impossible to be sure.

The message that these early 17th-century works send regarding the Chief Harem Eunuch is that he had undeniable political and artistic agency. He was closer to the sultan than any other courtier, his right-hand (or left-hand) man, firmly entrenched at the top of the palace eunuch hierarchy, which encompassed both harem and Third Court eunuchs. Like Habeshi Mehmed Agha, these two crisis-era Chief Harem Eunuchs—el-Hajj Mustafa and Süleyman Aghas—were in a position to commission works that showcased their indispensability to the sultan and, by extension, to the Ottoman dynasty and the Ottoman state. At the same time, they are more visible in the paintings than their late 16th-century counterpart, though not in the text.

Yusuf Agha and the 1675 *Surname*

Değirmenci calls Nadiri's *Şehname* the last illustrated Ottoman history. By the late 17th century, the *şehnameci*, the chronicler, often a poet, who composed such histories, had given way to the *vak'anüvis*, the official documenter of events, who contributed to a running prose narrative of the Ottoman dynasty's history. This kind of work was arguably less suitable for illustration than a *şehname*, for instead of tales of the sultan's exploits, or those of his ministers, it was far more annalistic, consisting of often dry recitals of turnovers in government offices and the like.

Festival books were still being composed, however, even without illustrations. One of the most extravagant late 17th-century festivals was the 1675 celebration (*şenlik*) of the circumcision of Sultan Mehmed IV's (r. 1648–87) two sons, the future Mustafa II (r. 1695–1703) and Ahmed III (r. 1703–30), and the marriage of one of his daughters, Hatice. This festival, which has been studied by Özdemir Nutku, took place in Edirne, the Ottoman "second capital" until 1703, which Mehmed IV preferred to Istanbul. The festivities were organized by Mehmed IV's powerful Chief Eunuch Yusuf Agha (term 1671–87). This made sense, for the Chief Eunuch served as the representative (*vekil*) of Princess Hatice at her wedding and oversaw the education of the princes. A *surname*, or festival book, describing the festivities was prepared by the poet Abdi Efendi, who was Yusuf's scribe (*yazıcı* or *katibi*) and who notes at the beginning of the work that Yusuf Agha had commanded him to write it—an unprecedented acknowledgment of the Chief Eunuch's role in the production of such a work.

Even though this is undeniably a festival book, it is a very different kind of work from İntizami's 1588 *Surname*. It is much, much shorter and is essentially a prose narrative, interspersed with snippets of verse and dry lists of who was seated at which banquet table and who received which gifts; in this sense, it is almost as if the *surname* had adopted the new *vak'anüvis* mode of chronicling. Yusuf Agha and the harem eunuch officers just below him appear throughout the work, by name and by title. Yusuf receives some of the richest gifts of anyone mentioned in the *surname*, and the harem eunuchs in general amass more merchandise than the Third Court eunuchs or the officers of the *hass oda*. Although there are no illustrations, the British physician John Covel, who observed the festivities, drew a scheme of the participants' tents on the Sırık Meydanı, the field outside the Edirne palace; his sketch conforms to what Abdi describes. Yusuf Agha and the other harem eunuchs are on the sultan's left and closest to the palace. On Yusuf's right is his eventual successor, the harem treasurer Ali Agha, and on Ali Agha's right is the princes' tutor, the future Chief Müfti Feyzullah Efendi, who would be deposed and murdered in 1703 in a scandalous episode that would come to be known as the Edirne Incident (Edirne Vak'ası in Turkish).[22]

The impression that both Covel and Abdi give is of Yusuf as not just organizer but master of ceremonies and key participant. This impression is reinforced by

22 Özdemir Nutku, *IV. Mehmet'in Edirne Şenliği (1675)* (Ankara: Türk Tarih Kurumu, 1972; 2nd printing 1987), 42–48 and insert following page 48; Abdi Efendi, *Surname*, in *Osmanlı Saray Düğünleri ve Şenlikleri*, ed. Mehmet Arslan, vol. 5 (Istanbul: Sarayburnu Kitaplığı, 2011), 492. On Feyzullah's career, see Silahdar Fındıklılı Mehmed Ağa, *Nusretname*, ed. İsmet Parmaksızoğlu, vol. 2 (Istanbul: Milli Eğitim Basımevi, 1962), 140–84, 192–95; Rifaat A. Abou-El-Haj, *The 1703 Rebellion and the Structure of Ottoman Politics* (Leiden: Nederlands Historisch-Archaeologisch Instituut te Istanbul, 1984), 50, 51, 57.

the notice of the festivities in the chronicle of Abdurrahman Abdi Pasha, the *nişancı*, or keeper of Mehmed IV's seal, who is not to be confused with the poet Abdi Efendi. Abdurrahman Abdi describes Yusuf dressing the viziers and the chief judges (s. *kadı 'asker*, or *kazasker*; Arabic *qādī 'askar*) of Rumelia and Anatolia "with his own hand" in sable furs sent to them by the sultan, after which the "best man," Defterdar Ahmed Pasha, personally dressed the Chief Eunuch in a fur sent by the bridegroom.[23] In other words, Yusuf exercised total agency in the preparation, execution, and commemoration of this event, overseeing the planning, presiding over the festivities, and personally ordering his scribe to prepare an account.

El-Hajj Beshir Agha and the *Surname-i Vehbi* (1720)

In 1720, Sultan Ahmed III (r. 1703–30) commissioned the first illustrated festival book (*surname*) since İntizami's famous 1588 specimen for Murad III. This landmark work commemorated the circumcision of Ahmed's four sons, ranging in age from two to ten (the two-year-old did not participate in most of the festivities). The text was prepared by Seyyid Vehbi Efendi, who, though a poet, was also a member of the ulema who served as a kadı, or judge, in several important cities. Vehbi's verses overflow with praise of the grand vizier, Nevşehirli Ibrahim Pasha, the sultan's son-in-law (*damad*), who famously presided over a twelve-year (1718–30) period of peace, prosperity, consumption of western European luxury merchandise, and artistic production that the late Ottoman historian Ahmed Refik (1881–1937) immortalized as the "Tulip Era" (*Lale Devri*). It is quite plausible that Vehbi owed his commission to the grand vizier.

The paintings are a somewhat different matter. At least two painters attached to the palace atelier prepared full sets of illustrations for Vehbi's *surname.* By far the more famous is the painter known as Levni, who, ironically, was not a regular member of the palace atelier. However, his less talented colleague, İbrahim Çelebi, who was a regular member, produced his own illustrations, a number of which depict the same scenes painted by Levni, albeit they are executed with far less painterly skill.[24]

The 1720 *surname* was prepared with deliberate reference to its 1588 predecessor, and is probably designed to invoke comparisons and contrasts to the

23 Abdurrahman Abdi Pasha, *Abdurrahman Abdi Paşa* Vekayi'-name*si: Osmanlı Tarihi (1648–1682),* ed. Fahri Çetin Derin (Istanbul: Çamlıca, 2008), 444–45.

24 Sinem Erdoğan İşkorkutan, "The 1720 Imperial Festival in Istanbul: Festivity and Representation in the Early Eighteenth-Century Ottoman Empire," (PhD diss., Bosphorus University, 2017), especially 388–40 and the Appendix, in which many of the illustrations are reproduced.

earlier work. Perhaps the most obvious difference is that there are four princes in 1720, compared to only one in 1588, which could be construed to mean that the future of the dynasty was more secure in 1720. (In 1603, thirteen-year-old Ahmed I, at the time the only surviving male of the Ottoman dynasty, nearly died of smallpox six months after taking the throne.)[25] Ironically, however, only one of the four princes circumcised in 1720, the future Mustafa III (r. 1757–73), would become sultan. The color palette of both Levni and İbrahim Çelebi is more muted than that of Nakkash Osman, and Levni, at least, even introduces a limited form of perspective into his scenes, particularly those that depict processions.

Where harem eunuchs are concerned, there is a striking difference between the 1588 manuscript and the two 1720 manuscripts. In the earlier work, the Chief Harem Eunuch Habeshi Mehmed Agha appears only in the final folio, even though he is prominently mentioned in the text at the beginning of the work. Otherwise, not a single lower-ranking harem eunuch is pictured in the earlier work. In Levni's version of the 1720 *Surname*, in contrast, the powerful Chief Harem Eunuch el-Hajj Beshir Agha (term 1717–46) appears in nine illustrations, and lower-ranking harem eunuchs in twenty-four.

El-Hajj Beshir Agha in Paintings vs. Text

An even more intriguing comparison is between descriptions of the Chief Harem Eunuch el-Hajj Beshir Agha in Vehbi's text and depictions of him in Levni's illustrations. Vehbi's summary of the first day of the festival, for example, notes the presentation of the grand vizier's gifts to the sultan but makes no mention of the Chief Harem Eunuch. Levni and İbrahim Çelebi, however, have el-Hajj Beshir Agha presenting the gifts to the sultan as the latter sits in his tent with three of his four sons standing next to him. Both painters position Beshir at the center of the illustration, although only Levni shows lower-ranking African harem eunuchs attending the princes (Figure 3). At the end of the *Surname* illustrated by Levni, el-Hajj Beshir leads three of the four princes past the new library in the palace's Third Court to the circumcision room in the Fourth Court. In Levni's painting of the scene, Beshir Agha is right at the front of the picture frame, in front of Damad İbrahim Pasha, who, along with another vizier, is guiding ten-year-old Prince Süleyman by the arms. The library occupies the left side of the painting's central field, and is on an axis extending from the sultan's audience chamber to el-Hajj Beshir himself, as if the painter wishes to emphasize the link between the Chief Eunuch and the sultan. What Vehbi's text says, however, is that Damad Ibrahim

25 Günhan Börekçi, "Factions and Favorites at the Courts of Ahmed I (r. 1603–1617) and His Immediate Predecessors," (PhD diss., Ohio State University, 2010), 83–84.

Figure 3. El-Hajj Beshir Agha Presents the Grand Vizier's Gifts to Sultan Ahmed III. From Vehbi, *Surname-i Vehbi* (1720). Topkapı Palace Museum Library, MS A. 3593, fol. 26b. By permission of the Topkapı Palace Museum Library.

Pasha took Prince Süleyman's right arm while the Chief Eunuch took his left and four other viziers guided the other two princes. In these paintings, Levni and Ibrahim Çelebi have, in effect, elevated el-Hajj Beshir's status by depicting him as the most important figure in these scenes—literally putting him front and center. In those paintings in which el-Hajj Beshir attends the sultan as part of his entourage, furthermore, his position vis-à-vis the monarch differs from his position in the 17th-century and most of the late 16th-century paintings. He is on the sultan's right, first of all—which, given the consistency with which he appears on the sultan's left in earlier paintings, is probably not insignificant—but in addi-

tion, he is more "spatially independent," occupying a separate field of the painting.

We can probably deduce that the two painters were close to el-Hajj Beshir Agha, and may even have owed their commissions to him. In that case, el-Hajj Beshir exercised artistic agency by choosing the artists who would depict—and, apparently, artificially enhance—his participation in the festivities. In contrast to his 17th-century predecessor Yusuf Agha, however, el-Hajj Beshir ceded a certain amount of mnemonic agency to Grand Vizier Damad Ibrahim Pasha inasmuch as Seyyid Vehbi's poetic description of the events, which Damad Ibrahim may well have commissioned, rhapsodizes over the grand vizier's part in the proceedings while only barely acknowledging the Chief Harem Eunuch's presence. In effect, then, el-Hajj Beshir Agha used the miniature paintings to undermine, or at least to overshadow, the text, thus using artistic agency to trump literary agency. In general, the range of his agency is more extensive than that of any preceding Chief Harem Eunuch, encompassing not only political agency and influence within the imperial household but the power to determine the manner in which a major life-cycle event would be performed and remembered, and how he himself, as well as his fellow harem eunuchs, would appear in the visual, if not the textual, memorial of the event.

Was the Chief Eunuch an Artist?

Given the Chief Harem Eunuch's interest in the palace painting atelier, to the extent that he may have helped to direct it and may have patronized certain artists, we may be justified in asking whether the Chief Eunuch were himself an artist. Evidence for this is scanty, and where it does exist, it tends to be circumstantial at best.

Calligraphers

We do know of a couple of eunuch calligraphers, including a Beshir Agha in the 1640s who, after a stint as companion (*musahib*) to Sultan Murad IV (r. 1623–40), was sent to Medina to head the corps of eunuchs who guarded the Prophet Muhammad's tomb. Several years later, he returned to the palace to serve as calligraphy instructor to the future Mehmed IV.[26] A better-known eunuch calligrapher was Moralı Beshir Agha, who succeeded el-Hajj Beshir as Chief Eunuch

26 Mustafa Naima, *Tarih-i Naima: Ravzatü'l-Hüseyn fi hulasat-i ahbari'l-hafikayn*, ed. Mehmet İpşirli, vol. 3 (Ankara: Türk Tarih Kurumu, 2007), 997; Hathaway, *Chief Eunuch*, 122.

in 1746 and held the office until his execution in 1752. He is thought to have designed the calligraphic panels that adorn the interior chamber of the *sebil* (Arabic, *sabīl*), or public water fountain, that Sultan Mahmud I (r. 1730–54) commissioned in Cairo in 1750 (Figure 4). Surmounted by a Qur'ān school (*mekteb* in Turkish, *kuttāb* in Arabic), this *sebil* stood at the southern edge of a religious complex, also containing a madrasa and a Halveti (Khalwati) Sufi lodge, whose construction Moralı Beshir oversaw from Istanbul. This was the only sultanic religious complex that the Ottomans founded in Cairo.[27]

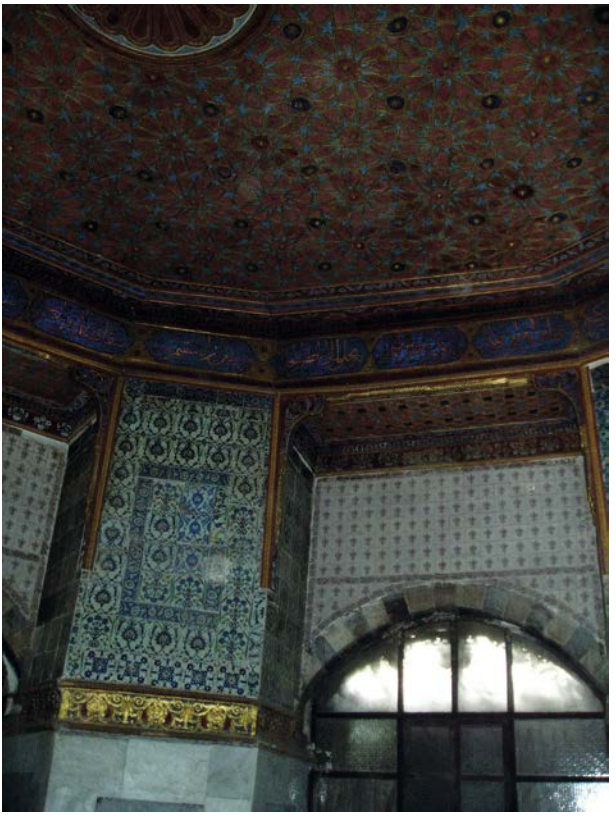

Figure 4. *Sebil-mekteb* of Mahmud I's Madrasa in Cairo. The calligraphy is visible just beneath the ceiling. Author's photo.

27 Doris Behrens-Abouseif, "The Complex of Sultan Mahmud I in Cairo," *Muqarnas* 28 (2011): 195–220; Hathaway, *Chief Eunuch*, 198.

Bibliophiles

A larger number of Chief Harem Eunuchs were famous book-collectors and bibliophiles. These included the late 17th-century Chief Eunuch 'Abbas Agha (term 1671–71), whose collection of costly illuminated Qur'āns and works of Islamic law and theology was well-known among his fellow Ottoman officials. Ismail Pasha, governor of Egypt from 1694–97, at one point attempted to confiscate and sell the collection for his own profit.[28] El-Hajj Beshir Agha was one of the most active book-collectors in Ottoman history; his extensive collections of works of Qur'ānic exegesis, *hadīth*, law, theology, medicine, mysticism, Ottoman and Islamic history, grammar, *belles-lettres*, and other subjects form the basis for the Hacı Beşir Ağa and Hacı Beşir Ağa Eyüp classifications in Istanbul's Süleymaniye Library. His successor as Chief Harem Eunuch, Moralı Beshir Agha, according to the French merchant Jean-Claude Flachat, who befriended him, spent several hours each day reading in his library, presumably located in his apartments just inside the harem entrance.[29]

Comparison to Other Civilizations

Impressive though they may be, however, calligraphy and book-collecting are arguably the practices of the aesthete, amateur intellectual, or even dilettante, not those of a serious artist. They are fundamentally different from what we know of eunuchs' and other elite slaves' artistic activities in other civilizations contemporary with the early modern Ottomans. Particularly striking is the apparent complete absence of eunuch musicians in the Ottoman Empire, especially given the numerous examples of eunuchs in other civilizations who were trained as musicians and singers. China's Ming Dynasty (1368–1644), which employed more eunuchs than any empire in history, trained select court eunuchs as musicians. The Jesuit missionary Matteo Ricci (1552–1610), who spent the last eighteen years of his life in China, and the last nine in the Forbidden City in Beijing, attempted to introduce European musical instruments to the Ming court

28 Jane Hathaway, "The Wealth and Influence of an Exiled Ottoman Eunuch in Egypt: The *Waqf* Inventory of Abbas Agha," *JESHO* 37 (1994): 293–317; Istanbul, Başbakanlık Osmanlı Arşivi, *Mühimme Defteri 110*, no. 947 (1 Jumāda II 1109/15 December 1697); Hathaway, *Politics of Households*, 142 n.15.

29 Jean-Claude Flachat, *Observations sur le commerce et sur les arts d'une partie de l'Europe, de l'Asie, de l'Afrique et même des Indes orientales*, vol. 2 (Lyon: Chez Jacquenod père et Rusand, 1766), 128.

by teaching some of the palace eunuch musicians to play them.[30] The most famous eunuch singers were, of course, the castrati, Italian male opera singers castrated before puberty who graced the opera stages of western Europe from the 16th century through the early 19th century. They in turn probably stemmed from the Byzantine practice of employing eunuchs, alongside uncastrated male singers, in church choirs to mimic the heavenly choir of angels.[31]

Among Islamic empires, the Ottomans' neighbors and enemies, the Twelver Shi'ite Safavids of Iran, appear occasionally, though certainly not exclusively, to have employed Georgian eunuchs as court musicians, as witness the well-known painting of Shah Sulayman (r. 1666–94) surrounded by Georgian courtiers, eunuchs and otherwise, among whom are several playing drums and stringed instruments.[32] Among non-eunuch slaves, Russian serfs were very occasionally trained by the owners of the estates to which they were attached as singers, musicians, and actors. In one of the most famous examples of this phenomenon, the nobleman and future director of the Russian court chapel choir Nikolai Ivanovich Bakhmetev (1807–91) trained a serf orchestra and chorus on his estate near Saratov, southeast of Moscow on the Volga River, during the 1840s and 1850s. Coincidentally, as a Russian envoy to the Ottoman Empire around 1830, he led the first symphony orchestra in the imperial capital, composed almost entirely of European diplomatic personnel.[33]

Conclusions

In the final analysis, however, the question of whether the Ottoman Chief Harem Eunuch was himself an artist is perhaps slightly off-base. After all, the Chief Eunuch was not executing these illustrated manuscripts himself. Rather, he was playing a supervisory or enabling role: planning festivities, commissioning commemorative chronicles, patronizing poets and/or painters, providing the space and even the materials that would make production of the manuscripts possible. In doing all these things, he was shaping the way in which these fes-

30 Nigel Cameron, *Barbarians and Mandarins: Thirteen Centuries of Western Travellers in China* (Oxford: Oxford University Press, 1970), 183–84.

31 Helen Berry, *The Castrato and His Wife* (Oxford: Oxford University Press, 2011); Neil Moran, "The Choir of the Hagia Sophia," *Oriens Christianus* 89 (2005): 1–7.

32 In Yuri A. Petrosyan et al., eds., *Pages of Perfection: Islamic Paintings and Calligraphy from the Russian Academy of Sciences, St. Petersburg* (Lugano, Switzerland: Art Restoration for Cultural Heritage Foundation; Milan: Electa, 1995), 283. On Georgian and white eunuchs at the Safavid court, see further Kathryn Babayan, art. "Eunuchs, iv. Safavid Period," *Encyclopaedia Iranica*, vol. 9 (New York: Bibliotheca Persica, 1999), 67–68.

33 Carolyn C. Dunlop, *The Russian Court Chapel Choir, 1796–1917* (London: Routledge, 2000), 31.

tivities and other events would be remembered. This, then, was the culmination of his mnemonic agency, which was inextricably intertwined with his artistic agency and which complemented and supplemented the other forms of his agency: political, economic, and religious. These illustrated manuscripts may have been a rarified testament to the Chief Eunuch's agency in comparison to a mosque, madrasa, or library—or, indeed, to the career of a powerful protégé—yet they had a certain durability that these other manifestations of his agency arguably lacked. After all, many of these manuscripts were preserved in the Ottoman palace, and were even perused by members of the court, long after the careers of the various Chief Eunuch-sponsored viziers had ended and even after certain of the architectural monuments had crumbled.

This durability may seem rather ironic in view of the fact that an illustrated manuscript prepared by the palace atelier was accessible to far fewer people than an architectural monument or an inscription on a mosque, *sebil*, or tomb. This, in turn, limited the audience for and the beneficiaries of this particular manifestation of the Chief Harem Eunuch's agency. The audience for works such as the *surname*s, Medhi's Turkish *Shahname*, or Ahmed I's album were almost exclusively members of the Ottoman court. Nonetheless, the collective memory of the Ottoman court retained the image of the Chief Harem Eunuch as portrayed in these works and projected this image to the Ottoman intelligentsia, including the courtiers, bureaucrats, and scholars who chronicled the empire's history. To chroniclers of the late 18th and the 19th century, for example, El-Hajj Beshir Agha was *Koca Beşir*, "Beshir the Great," to distinguish him from the four other Chief Harem Eunuchs and the numerous other lower-ranking harem eunuchs named Beshir, many of whom were probably named after him.[34] These manuscripts provided a textual and pictorial record of the exalted position that the Chief Harem Eunuch occupied in relation to other members of the court. He exercised agency in the production of these works, and they in turn testified to his agency for posterity.

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34 See, for example, Ahmed Asım Efendi (1755–1820), *Asım Tarihi*, vol. 1 (Istanbul: Ceride-i Havadis Matbaası, 1284/1867), 246.

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Betül İpşirli Argıt

Manumitted Female Palace Slaves and Their Material World

A number of studies have focused on various issues related to manumitted Ottoman slaves.[1] Yet studies that examine the relationship between freed slaves and their former owners as well as the implications of this relationship for two parties over the long term are still rare.[2] This article looks at one of the several categories of slaves in the Ottoman world, namely, that of female palace slaves of lesser status, and deals mainly with those manumitted female palace slaves who lived in the imperial harem in the second half of the 17th and throughout the 18th century, and who were later manumitted and transferred from the palace.[3] The

1 Generally, studies dealing with Ottoman slavery touch on the issue of manumission. Yet few studies specifically deal with issues concerning manumission and manumitted Ottoman slaves and provide idea about the social-legal aspects of manumission, the fates of freed slaves, and agencies developed by freed slaves. A recent literature survey on Ottoman slavery comprising a rich and detailed bibliography is Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey*, OSML 4 (Berlin: EB Verlag, 2017). See also Hakan Erdem,"Magic, Theft, and Arson: The Life and Death of an Enslaved African Women in Ottoman İzmit," in *Race and Slavery in the Middle East: Histories of Trans-Saharan Africans in Nineteenth Century Egypt, Sudan and the Ottoman Mediterranean*, ed. Terrence Walz and Kenneth M. Cuno (Cairo: The American University in Cairo Press, 2010), 125–46; Ehud R. Toledano, "Enslavement and Freedom in Transition: MENA Societies from Empires to National States," *Journal of Global Slavery* 2 (2017): 100–21.

2 For a recent work on this issue focusing on female palace slaves, see Betül İpşirli Argıt, *Hayatlarının Çeşitli Safhalarında Harem-i Hümayun Cariyeleri, 18. Yüzyıl* (Istanbul: Kitap Yayınevi, 2017).

3 The Ottoman imperial harem had a hierarchically organized structure that encompassed various types of female slaves of different status. Female slaves in the imperial harem can be categorized in two groups: first, women who were directly linked to the sultan as consorts of the sultan; second, female slaves who were in the service of the sultan and the dynastic family and served in the harem. In this study "palace women" refers to those manumitted female palace slaves who served in the imperial harem for a period of time and who were later manumitted and transferred from the imperial palace and regarded as *sarayî*/*saraylı* in Ottoman society. In this study, the term "palace women" does not refer to the female members of the imperial dynasty. For detailed information about manumitted female palace slaves, see İpşirli Argıt, *Hayatlarının çeşitli Safhalarında Harem-i Hümayun Cariyeleri, 18. Yüzyıl*; İpşirli Argıt, *Life*

manumission of female palace slaves and their departure from the palace did not mean their ties with the imperial court were severed; rather, it signaled the beginning of a new kind of relationship that would continue in various ways until their death. This enduring relationship had implications for several parties, including the manumitted female palace slaves themselves and the imperial household.

This chapter explores the relationship between manumitted female palace slaves and the imperial household through the prism of the women's material world and evaluates the implications of the enduring material relationship for both parties. It argues that material dependency continued following manumission, and that both parties developed agencies in return. The first part of the article examines how the material relationship of manumitted female palace slaves with the imperial household continued following their manumission and how their dependent position continued. This part demonstrates that, apart from the continuity of the material patronage, the existence of the absolute inheritance relationship between the freed slave and the manumitter—and thus close control of women's material activities by the authorities—paved the way for continuity of dependency following manumission. The second part in turn focuses on the women's material undertakings in order to evaluate the possible strategies women might have deployed to deal with their material dependency. This part studies what kind of agencies might have been available to the freed slaves. It concludes that the charitable activities, encouraged by the Islamic law, provided opportunities for acting within relations of dependency and provided room for freed slaves to maneuver.

This article is based on several sources. Numerous registers in the state archive such as *tayinat* (allowance), *mevâcib* (stipend), *masraf-ı şehriyârî* (royal expenditures), *harc-ı hassa* (expenditure for purchases and disbursements for privy purposes), *ceb-i hümâyun* (privy purse), *inamat* (gifts) enable us to see money and other objects assigned to the female palace slaves. Documents such as estate records, endowment deeds, and registers of inheritance, and wills provide information about the material world of the manumitted female palace slaves. Additionally, Shari'a Court records constitute a rich alternative to archival records. The most important source for manumitted female palace slaves are the court registers recorded in the *Evkâf-ı Hümâyun Müfettişliği* court, one of Istanbul's Shari'a courts, which mainly dealt with issues related to *waqfs* (endowment to a religious, educational, or charitable cause), but also includes cases related to people affiliated with the imperial court. *Evkâf-ı Hümâyun Müfettişliği* court records offer a surprising range of information about the lives of manu-

after the Harem: Female Palace Slaves, Patronage and the Imperial Ottoman Court (Cambridge: Cambridge University Press, forthcoming).

mitted female palace slaves, including property sales, loan transactions, inheritance settlements, issues related to divorce, guardianship, slavery, and *waqfs* as well as estate records. Additionally, research in the *Evkâf-ı Hümâyun Müfettişliği* court records provides access to valuable information regarding the social, economic, and daily lives of these women and their relationship with both the imperial court and the surrounding urban society.

Relationship with the Imperial Court Following Departure from the Palace

Material Patronage

In 1799, a woman who signed her name as el-Hâcce *Sarayî* Fatma Usta received a letter from the scribe of the Chief Black Eunuch informing her that, because of the war against the infidels, her annual share of the *mukataa* (a fiscal unit administered as tax farm) would be reduced. El-Hâcce *Sarayî* Fatma Usta, previously the *çaşnigir usta* (mistress of the table service) in the imperial harem before moving to Medina, noted in the signed return letter that, being a female palace companion (*saraylı yoldaş*) living in Medina, she and other former harem residents had no other source of revenue apart from this share. She considered this situation to be a great injustice, especially since the women were living in the holy land. Fatma stated that the sultan was these women's sole source of support, and that the money not given to them would not benefit anyone else. Fatma then demanded that the women's share be sent as usual. She noted that the women prayed to Allah that the Ottoman Empire should not need money assigned to the people of Medina. She also added that this share was not a protection (*himaye*); rather, the women had earned this share over their many years of serving several sultans (so long, in fact, that their hair had whitened). Because the women had also sold their jewelry and had saved through their hard work, this revenue could not be regarded as clientship or as benefaction (*çıraklık değil, ihsan değil*). She finished her letter stating that the women wanted to spend the last days of their lives near the Prophet Muhammed, and that they expected the state to show its generosity by helping them.[4]

Not long before Fatma's letter exchange, in 1791, another former palace slave named Sungur had written to Sultan Selim III (r. 1789–1807), indicating that she had been taken to the imperial palace at the age of 5, had served three sultans, and

4 Republic of Turkey Presidency of State Archives – Ottoman Archives (Türkiye Cumhuriyeti Cumhurbaşkanlığı Devlet Arşivleri Başkanlığı – Osmanlı Arşivi) henceforth BOA, Sadâret Mektubî Kalemi (A.MKT) 520/75 (1214/1799).

had been manumitted by Hadice Sultan the elder. Blind for some time, she was now living in poverty and had nobody to look after her. This needy and apparently old woman added that, since she had been trained at the palace and transferred from there, she could not beg for money to support herself; doing so would not be an appropriate reflection of the sultan's honor and reputation. However, because of her very desperate situation, she dared to demand an allowance that would allow her a modest livelihood. Upon receiving Sungar's request, Selim III issued an order to offer Sungur 20 *akçe* from the customs revenue.[5] Fatma and Sungur's demands illustrate the fact that affiliation with the imperial court created a bond between the palace women and the imperial court which continued even after their departure from the palace. Being affiliated to the imperial court resulted in a patronage relationship between the female palace slaves and the imperial court, and this situation regulated the relationship between the two parties, both during their stay in the palace and following their transfer from the palace.

In the Ottoman State, households, including but not limited to the imperial household, operated through patronage networks. Patronage relationships refer to an asymmetric and reciprocal relationship between two parties, with a master, benefactor, or patron on the one hand, and a protégé or client on the other. In patronage relationships, the individual holding the higher status and prestige (*hâmî*) uses his influence and resources to provide material and moral protection, assistance, and benefits to the person of lower status (*mahmî)* through the transmission of goods and services. In return, the lower status party is expected to reciprocate by offering the personal service, loyalty, and affection necessary for the power and legitimacy of the higher status party.[6] Patronage

5 Atilla Çetin, "Muhtaç Bir Cariyenin Sultan III. Selim'e Arzuhali," *Türk Dünyası Tarih Dergisi* 27 (1989): 37–39.

6 Claude Cahen, "Himâya," *EI2,* vol. III, 394–97. For studies evaluating the functioning of patronage relationships, see R. R. Kaufman, "The Patron-Client Concept and Macro-Politics: Prospects and Problems," *Comparative Studies of Society and History* 16 (1974): 284–308; Verena Burkolter, *The Patronage System, Theoretical Remarks* (Basle: Social Strategies Publishers Co-operative Society, 1976); Ernest Gellner and John Waterbury, eds., *Patrons and Clients in Mediterranean Societies* (London: Duckworth, 1977); Samuel Eisenstadt and Louis Roniger, *Patrons, Clients and Friends: Interpersonal Relations and the Structure of Trust in Society* (Cambridge: Cambridge University Press, 1984). In the Islamic tradition, the practice of patronage relationships was related to concepts of benevolence, charity, and generosity (*sadaqa*, *khayr, ihsân*), which all refer to doing good voluntarily for some person(s) in need. Additionally, the practice of patronage might be linked to the concept of gift-giving (*hîbe*), which had been employed for centuries by members of the imperial court in various ways. Here, the theory of anthropologist Marcel Mauss is important. According to him, gift-giving aimed to cement the bonds of obligation and dependence. He regards gift-giving as "in theory voluntary, in reality given and returned obligatorily." Marcel Mauss, *The Gift: The Form and Reason for Exchange in Archaic Societies*, trans. W. D. Halls (London: Routledge, 1990).

directed toward female members of the imperial court was important considering the fact that the actual authority of the household heads, including that of the sultan himself, depended heavily on the size of the household, on their ability to keep household members under control, on their capacity to provide material and moral patronage to those members, and finally, on the level of service, loyalty, and support they received in return.[7]

Therefore, affiliation with the imperial household resulted in patronage relationships that influenced various aspects of palace-affiliated women's lives, including their material world. Residents of the imperial harem, much like those of the Enderun, occupied various levels within the hierarchy and were protected and provided with benefits during their service period. In every period, female members of the imperial court received regular stipends called *mevâcib* and *ulufe* in return for their services. A person's position within the imperial harem, played a major role in determining their stipends.[8] Additionally, some members of the harem received a share of the customs.[9] Apart from salaries, clothing, food, and other necessities, harem residents received extra payments and gifts called *in'âm, ihsân*, or *'atiyye* on specific occasions.[10] These gifts included goods of various kind and quality.[11]

Manumission of female palace slaves and their departure from the palace did not mean the severing of their ties with the imperial court; rather, it signaled the beginning of a new kind of relationship that would continue in various ways until their death. Through their palace affiliation, members of the imperial court were provided with the means to support themselves, and this material bond continued following their transfer from the palace.

In return for their services, these women were protected against harsh economic and social realities, and were assigned cash allowances. Of the 16th cen-

7 For detailed information on the organization and functioning of households in the Ottoman State, see Carter Findley, "Political Culture and the Great Households," in *The Cambridge History of Turkey: The Later Ottoman Empire,*vol. III, ed. Suraiya Faroqhi (Cambridge: Cambridge University Press, 2006), 65–80.

8 Ottaviano Bon (d. 1622) stated that female palace slaves were paid from the sultan's treasury according to their rank. Some received 15 or 20 *akçe* a day while other received 4 or 5 *akçe.* They were paid every 3 months. Ottaviano Bon-Robert Withers, *A description of the grand signour's seraglio or Turkish emperours court,* ed. John Greaves (London: Jo. Ridley, 1653), 49. For several examples from the period of Mahmud I, Selim III, and Mahmud II see TSMA D 8075, TSMA D 2999; *Istanbul Metropolitan* Municipality *Atatürk Library*, Muallim Cevdet B4, *II. Mahmud Mevâcib Defteri.*

9 BOA, Cevdet Maliye (C.ML) 132/5704 (1195/1781). BOA, Hatt-ı Hümâyun (HAT) 1467/44 (1212/1797); HAT 1483/26 (1217/1802).

10 TSMA D 2350–0005 (1695).

11 On the items given to members of the imperial harem, see BOA, Maliyeden Müdevver (MAD) 15867 (1677–1683); TSMA D 1219–0002 (1085/1674); TSMA D 2354/0003; TSMA d 980/0001; TSMA d 2354/0006.

tury, Stephan Gerlach wrote that girls who were married off and left the palace were given clothes, money, and assigned salaries.[12] According to the account of the historian Na'îmâ, the death of Kösem Sultan resulted in her female slaves first being transferred to the Old Palace and then each given an assignment of cash from Kösem Sultan's property as well as two chests full of goods.[13] Na'îmâ also added that Kösem Sultan married her manumitted slaves to suitable men, favored these men with good employment opportunities, and also looked after each of her manumitted slaves with allowances in cash, on religious bairams and on other holy days.[14] The registers of *harc-ı hassa* and *ceb-i hümâyun* as well as individual archival registers give evidence of money and goods being given to manumitted female palace slaves as benefactions.[15] Additionally, some women were assigned land grants.[16] At the end of the 18th century and into the 19th, some palace women also received shares of the Istanbul customs.[17] Palace women sometimes made requests to the imperial court for property and allowances as in the story of the previously mentioned *Sarayî* Sungur. The bestowal of goods to women who departed from the imperial palace reveals another dimension of their on-going relationships.[18]

Obviously, enduring material bonds strengthened existing relationships. Nevertheless, it was the the legal bond between manumitted palace slaves and their masters that really paved the way for the continuity of their dependent position until the end of their lives.

12 Stephan Gerlach, *Türkiye Günlüğü 1577–1578*, trans. Türkis Noyan, ed. Kemal Beydilli (Istanbul: Kitap Yayınevi, 2006), II, 637.

13 Na'îmâ, *Tarih-i Na'îmâ*, ed. Mehmet İpşirli, vol. III (Ankara: Türk Tarih Kurumu, 2007), 1343.

14 Na'îmâ, *Tarih*, vol. III, 1329.

15 For information about benevolence given during the time of Mustafa II, see (TSMA D 2350–0005 (1695); BOA, Cevdet Saray (C.SM) 56/2838 (1145/1732). For information about benefaction of money given to manumitted palace slaves in the period of Ahmed III, see (TSMA D 2369). For information about benevolence given in the reign of Mustafa III, see (TSMA D 2408/0077).

16 For the assignment of a land grant to a chief administrative officer (*kethüda kadın*) during the reign of Süleyman II, see Bakkalzade Defterdar Sarı Mehmed Paşa, *Zübde-i Vekayiat: Tahlil ve Metin:* 1066–1116/1656–1704, ed. Abdülkadir Özcan (Ankara: Türk Tarih Kurumu, 1995), 358.

17 C.ML 132/5704 (1195/1780); HAT 1467/44 (1212/1797); HAT 1471/58 (Şaban 1213/ 1799); HAT 1483/6 (Zilkade 1216/1802); HAT 1484/26 (1217/1802); HAT 1485/22 (1217/1802); HAT 1488/14 (1219/1804); HAT 1488/18 (Safer 1219/ 1804); C.SM 2565.

18 For information about goods bestowed upon a female slave who left the imperial harem during the reign of Ahmed III, see TSMA D 2354/0004; 2355; 2357; for the fabrics given to manumitted female place slaves, see TSMA D 17 (7 Şevval 1124/1712).

Manumitter as Inheritor

In addition to the patronage relationship, slave identity inevitably caused dependency because of the legal bond, especially the inheritance relationship, that arose as a result of manumission between a freed slave and the manumitter. Apart from the patronage relationship, the inheritance relationship between manumitted female palace slaves and their masters paved the way for the continuity of women's relationship with the imperial court until the end of their lives. This situation also resulted in a form of dependency for manumitted slaves.

From a legal point of view, manumission transformed but did not sever the master-slave relationship.[19] When a slave gained freedom, the freed person immediately enjoyed the same full legal rights as a freeborn person. According to Islamic law, however, manumission created a legal tie between the manumitter (*mu'tık*) and the freed person. The manumitted person and his/her descendants remained perpetually indebted to the emancipator and to his/her family because of the patronage relationship created by the bonds of clientage (*velâ*). The term *mevlâ* referred to a person linked to another person by *velâ,* and the *velâ* relationship survived the death of each party.[20] These legal ties between the manumitter and the freed person also created an inheritance relationship. The manumitter (*mevlâ*) attained the right of inheritance from his/her manumitted slaves. The property of the emancipated slave or of his/her descendants who died without priority heirs or agnates reverted back to the patron or patroness or to their agnatic heirs, in accordance with the system of devolution.

Because of the inheritance relationship between manumitted slaves and their manumitters, a part of a freed slave's estate was delivered to her master. To give one example, when *Sarayî* Hadice Hatun bint Abdulmennan died, her inheritance was shared between Sultan Mahmud I (r. 1730–54) and her husband Mustafa Çelebi.[21] Not only sultans, but also other masters received a share of the inheritance of palace women. To mention a few examples among many: *Sarayî*

19 Ebü'l-Hasan Burhaneddin Ali b. Ebi Bekr Merginani, *The Hedaya or Guide: A Commentary on the Mussulman Laws*, trans. Charles Hamilton, vol. I (Karachi: Darul Ishaat, 1989), 430.

20 Agostino Cilardo, "The Transmission of the Patronate in Islamic Law," in *Miscellanea Arabica et Islamica, Dissertations in Academia Ultrajectina prolatea anno MCMXC,* ed. F. De Jong (Leuven: Peeters Press, 1993). For a detailed information about inheritance, see Joseph Schacht, *Introduction to Islamic Law* (Oxford: Clarendon Press, 1964), 170; P. Crone, "Mawlâ," *EI2, vol.* VI, 874–82; Ulrike Mitter, "The Origin and Development of the Islamic Patronate," in *Patronate and Patronage in Early and Classical Islam,* ed. Monique Bernards and John Nawas (Leiden: Brill, 2005), 133; Wael Hallaq, "The Use and Abuse of Evidence: The Question of Provincial and Roman Influences on Early Islamic Law," *Journal of the American Oriental Society* 110/1 (1990): 79–91; Paul Forand, "The Relation of the Slave and the Client to the Master or Patron in Medieval Islam," *IJMES* 2 (1971): 61.

21 Evkâf-ı Hümâyun Müfettişliği, no. 120: 128 (1148/1735).

Mihri Hatun, also known as Saliha Hatun bint Abdullah, was freed by Rukiye Hanım Sultan. When Mihri Hatun died, her inheritance was shared between her husband and her master, Rukiye Hanım.[22] Another woman named Civanbaht Fatma Hatun was a freed slave (*atîka*) of Rabia Gülnuş Valide Sultan (d. 1715). When Civanbaht died, Gülnuş Sultan was still alive and received a share of Civanbaht's inheritance.[23]

According to Islamic law, if the master was the only heir, he/she took the entire share. If the master had to share the inheritance with a husband or daughter of the freed slave, he/she took half of the share. The existence of a husband did not prevent the master from inheriting a share. By contrast, though, the existence of any male blood relatives of a freed woman, such as a son or a brother, prevented the master from claiming a share of the inheritance. For instance, when *Sarayî* Daye Meryem Hatun bint Abdullah passed away, her estate was shared between her husband el Hac İsmail and her son Hasan Agha, who was a page in the larder chamber (*kiler odası*) in the Enderun.[24] The story of *Sarayî* Rabia Hatun provides a very interesting example: Rabia Hatun was living in the Kapudan Paşa neighborhood in the vicinity of Süleymaniye Mosque. When she passed away in 1722, Osman bin Abdullah appeared in the law court stating that he was the heir to Rabia's estate and thus demanded the share that had already been taken by the Agha of the Old Palace. Osman tried to prove his claim in court by using a previously taken *fetva* (fatwa) as a reference. This *fetva* claimed that Osman had uncertain parentage (*mechul-i neseb*), yet *Sarayî* Rabia Hatun had claimed him as her son. Therefore, Osman claimed his rights of inheritance as heir to the estate, and the Agha of the Old Palace returned the share he had previously taken. In the end, Osman received the entire amount of 19,587 *akçe*.[25]

According to Islamic law, if the master was no longer alive, his/her inheritance share went to his/her own male heirs (*asabe-i binefsihi*). For instance, *Sarayî* Zeyneb Hatun (d. 1731) was manumitted by Fatma Hanım Sultan bint Melek Ahmed Pasha, daughter of Kaya Sultan, who was herself a daughter of Murad IV (r. 1623–40). When *Sarayî* Zeynep died, Fatma Hanım Sultan had already passed away. Fatma Sultan's share of *Sarayî* Zeynep's estate thus went to İbrahim Bey bin Melek Ahmed Pasha, her stepbrother, but only after he had clarified his relationship to her in court. He then inherited half of Zeynep's estate.[26]

Again, according to Islamic law, only if the master of the freed slave had no heir was the master's share omitted[27] and the freed slaves' tie with the manu-

22 Evkâf-ı Hümâyun Müfettişliği, no. 195: 68a–68b.
23 Evkâf-ı Hümâyun Müfettişliği, no. 101: 93 (1126/1714).
24 Evkâf-ı Hümâyun Müfettişliği, no. 106: 91 (1129/1716–17).
25 Evkâf-ı Hümâyun Müfettişliği, no. 114: 88.
26 Evkâf-ı Hümâyun Müfettişliği, no. 120: 111, 116.
27 Joseph Schacht, *Introduction to Islamic Law*, 170.

mitter's household broken. Furthermore, if neither the master nor the freed slave had any heirs, the entire inheritance went to the public treasury (*beytu'l mâl*). This situation was not the case for palace women, however. If the master of a palace woman or that master's heirs were not alive at the time of a palace woman's death, the master's share went to the reigning sultan. This was the most important situation that differentiated the inheritances of palace women from those of other freed slaves, since it ensured and guaranteed the continuity of a palace woman's connection with the imperial household. The following examples demonstrate this: When a freed female slave of the already deceased Chief Black Eunuch died, the eunuch's inheritance share as master went to the reigning sultan. *Sarayî* Emetullah Hatun bint Abdullah was manumitted by Fatma Sultan (d. 1745), a daughter of Ahmed III. When Emetullah Hatun passed away in 1778, the master's share went to the reigning sultan, Abdulhamid I.[28]

The *mevlâ*s of palace women also claimed shares from the estates of the freed slaves of palace women, further perpetuating the relationship. For example, Sümbül Agha was manumitted by Atike Ayşe Sultan, and when one of his freed slaves named Gonca Hatun died, her inheritance was shared between Gonca's husband and the reigning sultan.[29] *Mevlâ*s furthermore took shares from the estates of the children of freed slaves. *Sarayî* Emine Hatun was manumitted by Sultan Mehmed IV and married Mehmed Agha bin İsa. When their daughter Ayşe Hatun passed away in 1730, her estate, worth 31,039 *akçe,* was shared by her husband and the reigning sultan.[30] Likewise, in another example, *Sarayî* Rukiyye Kadın, who was freed by Zübeyde Sultan, the daughter of Ahmed III, had a daughter named Hadice Hatun. When Hadice Hatun died, both her husband Ahmed Agha and the reigning sultan were entitled to a share of her estate.[31]

The existence of this absolute inheritance relationship between *mevlâ* and freed palace slaves created an almost eternal bond between palace-affiliated women and the imperial household. Therefore, material activities of freed palace slaves were important for the imperial household.

28 BOA, Bab-ı Defteri Başmuhasebe Muhallefat Halifeliği (D.BŞM.MHF) 12853 (1192/1778).
29 TSMA E 126/31.
30 Evkâf-ı Hümâyun Müfettişliği, no. 113: 179–81.
31 D.BŞM. MHF 63–78.

Legal Status and Control of Palace-Affiliated Women's Properties and Material Activities

Because of the legal bonds between the palace women and the imperial household, all material transactions carried out by women, including assignment of one-third (*sülüs*) of their estates, donations, sales, and endowments, were closely tracked by the assigned authorities, and they were quite serious on this issue.

A petition written in 1667 and signed by the chief black eunuch stated that half of the estate of manumitted female palace slaves who died without children in Egypt or elsewhere were to be sent to the sultan (*rikâb-ı hümâyun*) and the other half to the husbands. The petition added that unfortunately some people had interfered in delivering the share of the *rikâb-ı hümâyun*, and that these actions had to be prevented.[32] In the same year, a *firman* (imperial decree) addressed to the military judge (*kazasker*) of Anotolia and Rumelia and to the judge of Istanbul stated that husbands of some of the manumitted female palace slaves had taken valuable items belonging to their wives as if their wives had donated these items to them on their deathbeds, and that they had registered the transaction in this way. In order to prevent such fraudulent behavior, the *firman* stated that, if palace women wanted to donate their goods to their husbands, they had to provide a document acknowledged by the Agha of the Palace.[33]

During the reign of Mustafa II (r. 1695–1703), another decree dated 1696 and addressed to the judge of Istanbul stated that, when manumitted female palace slaves who were transferred from the imperial palace wished to donate their property to their husbands or to other people, they had to inform the Agha of the Old Palace according to custom. It also added that donating and endowing their valuable property and their houses without prior permission from the assigned personnel had already been forbidden. It recalled and renewed an earlier decree issued during the reign of Ahmed II (r. 1691–95), according to which inheritors of the deceased people had to prove that they were heir to the deceased in order to have their cases heard in court.[34]

A court register dated 1716 again repeated that there was an imperial decree (*hatt-ı hümâyun*) requiring the permission of Agha of the Old Palace whenever palace-affiliated people wished to endow or donate their property.[35] Two decrees, issued in 1767 and 1776, reveal not only the existing abuses as mentioned above,

32 İbnü'l Emin Dahiliye (İE. DH) 7/721 (1077/1667).

33 Emine Soykan, "İstanbul Müftülüğü Şer'iyye Sicilleri Arşivi (Rumeli Kazaskerliği ve Rumeli Sadâreti Mahkemesi Kayıtları Arasındaki Ferman Suretleri)" (Graduate thesis, Istanbul University, 1994), 61–62.

34 Ahmet Refik [Altınay], *Hicri Onikinci Asırda Istanbul Hayatı: 1100–1200* (Istanbul: Enderun Kitabevi, 1988), 20.

35 Evkâf-ı Hümâyun Müfettişliği, no. 109: 20, 22, 25 (1129/1716).

but also the sensitivity of the authorities on this issue.[36] The decree issued in 1776 to judges of of Istanbul, Üsküdar, Galata, and Haslar, to the inspector of the cities of Mecca and Medina (*Haremeyn müfettişi*), and to deputy judges (*naib*s) of other courts connected to Istanbul reveals both the sensitivity of this issue as well as existing abuses.[37] This decree noted that, as was the case of previous sultans when both manumitted and transferred female palace slaves and their own freed slaves passed away, their estates had to be registered with the knowledge of Agha of the Old Palace and the inspector of the holy cities of Mecca and Medina, as was customary. It is also added that palace-affiliated women had to inform and receive permission from the Agha of the Old Palace when they wanted to sell, donate (*hibe*), endow, or bequeath (*vasiyet*) any of their possessions. If a document (*hüccet*) given by the inspector of the holy cities of Mecca and Medina was not available, issues related to sales, endowments, donations, and bequests would not be heard in a law court. The decree stated that, for a period of time, husbands and other people, including prayer leaders (*imam*s) and residents of their neighborhoods, had swindled some *sarayî* women and used fraudulent means to gain control over the *sarayî* women's properties. These people had registered their activities in the *Kısmet-i Askeriyye* Court and in other courts by claiming that the *sarayî* women had sold, donated, endowed, and bequeathed some of their properties to them. As a consequence, following the death of the *sarayî* women, their husbands and others consumed the women's wealth. Therefore, it was noted that, from that point forward, whenever *sarayî* women and their freed slaves attempted to donate, endow, sell, or bequeath their property, they had to receive a document from the inspector of the holy cities of Mecca and Medina (*Haremeyn müfettişi*) with the permission of the chief black eunuch and through the agency of the scribe of the Chief Black Eunuch. Documents received from other law courts would not be considered valid. The decree also stated that the estates of palace-affiliated people and their freed slaves should be recorded, sold, and distributed among heirs with the permission of the chief black eunuch and through the agency of the scribe of the chief black eunuch. Only cases that met these requirements would be heard in the court. It was emphasized that only the inspector of the holy cities or his deputy could hear cases related to palace-affiliated people—not judges of Kassam-ı Askerî or others. Therefore, whenever the husbands of palace women or any other person attempted to appear in court following the death of a palace woman by stating that she had borrowed money from him, or that she had sold, donated, endowed, or bequeathed her property, they would be denied the opportunity unless they had the required doc-

36 Evkâf-ı Hümâyun Müfettişliği, no. 178: 92b–93a (1180/1767); C.SM 7226 (1190/1776).
37 C.SM 7226 (1190/1776).

umentation. The order issued during the reign of Mustafa III (r. 1757–74) was again renewed following the enthronement of Abdulhamid I in 1774.

Such cases suggest that palace women did not always obey the rules, and that the assigned personnel was not always informed about the material activities of palace women. These decrees were reissued repeatedly in an effort to prevent potential abuses and to secure control over manumitted female palace slaves.

Several examples found in court records also reveal how serious the authorities were about registering issues related to palace women. An example from Rumeli Kazaskerliği Court notes that, when Hafize bint Abdullah attempted to buy a house belonging to *Sarayî* Hadice Kadın, an order was made that, unless an agreement from Agha of the Old Palace and a document from the inspector of the holy cities of Mecca and Medina were obtained, the sale would not be valid.[38]

The authorities were also very serious about collecting the *mevlâ* share from the estates of palace women. Many court records reveal that the appointed palace personnel demanded the *mevlâ* share in court. *Sarayî* Hanife Hatun bint Abdullah bin Abdurrahman was manumitted by a freed slave of Hadice Sultan named *Sarayî* Eğlence Hatun. *Sarayî* Hanife Hatun bint Abdullah bin Abdurrahman sold her house to a man who did not pay the entire price. Following Hanife Hatun's death, Süleyman *Bey* bin Ömer, who was the halberdier (*teberdar*) of Hadice Sultan, appeared in the court as a proxy of *Sarayî* Eğlence Hatun and demanded her share from the sale of Hanife's house.[39] The story of *Sarayî* Gamzekâr Hadice Hatun is also helpful in understanding how serious the authorities were about collecting the *mevlâ* share. When *Sarayî* Gamzekâr Hatun's husband Ömer Efendi died, his share went to his *sarayî* wife and to Gamzekâr's stepson, Osman Agha. *Sarayî* Gamzekâr Hatun had died before receiving her bride price (*mehr*) from Ömer Efendi's estate. In this case, the Agha of the Old Palace demanded the sultan's share of Gamzekâr Hatun's bride price.[40]

Likewise, following palace women's death, the appointed personnel demanded the *mevlâ* share of *waqfs* or donations. For instance, after *Sarayî* Fethiye Hatun's death, a proxy of the Agha of the Old Place appeared in court to demand the sultan's share of the *waqf* of Fethiye Hatun, whose share had remained in it since she had died without children.[41] In some cases, donations made by palace women were overturned if they had not received the permission of assigned personnel at the time of donation. The case of *Sarayî* Şehbaz Hatun, who was manumitted by *Sarayî* Zeynep Hatun, reveals how serious the authorities were concerning this issue. When palace women and their freed slaves passed away,

38 Osman Aksu, "Rumeli Kazaskerliği 376 Numaralı Defterin Transkript ve Hukuki Tahlili," (MA thesis, Marmara University, 2004), 200, n. 106 (1200/ 1786).

39 Evkâf-ı Hümâyun Müfettişliği, no. 113: 277 (1134/1721).

40 Evkâf-ı Hümâyun Müfettişliği, no. 103: 163.

41 Evkâf-ı Hümâyun Müfettişliği, no. 117: 116 (1139/1726).

the Agha of the Old Palace, who was responsible for acquiring the sultan's share (*hisse-i hümâyun*), appeared in the Old Palace court. Eğlence Hatun was a freed slave of *Sarayî* Şehbaz, and the sultan was entitled to a share of her estate. Ten days before her death, Eğlence had sold her house to Fatma Hatun bint Resul for 400 *kuruş*, donated her bracelet to Fatma, and endowed the house in which she was living to imam Ali Efendi of the Selime Hatun neighborhood in Fındıklı. Eğlence Hatun had reportedly made the donation and endowment during a period of fatal illness and had taken them from one-third of her estate. Ali Efendi and Fatma Hatun were asked if they had received the permission of the Agha of the Old Palace to accept these donations. Fatma Hatun stated in court that the Agha's permission had not been acquired.[42]

As stated above, specific palace personnel with status were assigned the duty of engaging directly in the personal affairs of manumitted female palace slaves, both during their lives and following their deaths. Sources from the 17th century and the first half of the 18th reveal that, in the majority of the cases, it was the Agha of the Old Palace who was responsible for overseeing and managing the affairs of palace-affiliated women. Court cases related to these women proceeded only with the Agha's knowledge and typically with his direct involvement. As mentioned above, the women also required his permission to donate or endow their properties. Following their death, their estates were registered and sold, again only with the Agha's knowledge. When palace women or their freed slaves passed away, the Agha of the Old Palace was responsible for claiming and receiving the sultan's share of the inheritance. Contemporary sources reveal that, by the second half of the 18th century, another person appeared as the responsible person, namely, the scribe of the chief black eunuch, who managed the registration and sale of the women's estates and received the sultan's share. He also provided the necessary permissions for women to donate, endow, sell, or bequeath their property. The inspector of the holy cities of Mecca and Medina also assumed some responsibility for the affairs of palace women.

Use of the Imperial Palaces as Law Court Location

Additionally, an evaluation of *Evkâf-ı Hümâyun Müfettişliği* court registers reveals that cases related to palace-affiliated people, including women who had been manumitted and transferred, were heard in a law court located inside the imperial palaces. Court records reveal that the great majority of legal cases related to palace women in the 17th and 18th centuries were handled at a law court in the Old Palace. Cases related to family members and slaves of palace women

42 Evkâf-ı Hümâyun Müfettişliği, no. 109: 20, 22, 25 (1129/1716).

were also heard in a court located in the imperial palaces. For instance, Mustafa Efendi bin Mehmed Efendi's estate was shared by his mother *Sarayî* Rukiye Hatun bint Abdullah and his uncle İbrahim Ağa bin el Hac Mustafa. This issue was discussed in a court set in the Old Palace.[43] Following her death, a palace woman's estate was registered according to the principles of Islamic law and the responsible party sent the estate record to the palace (*rikâb-ı hümâyun*). Later, their property was sold by auctions held in the Old Palace. The use of the imperial palace as law court location—which made palace women maintain their ties with the imperial palace following their transfer from the palace—might be another way of exerting control over manumitted female palace slaves.

Having established the enduring material bond between palace women and the imperial household, in the next section I consider the material activities of freed palace slaves in order to figure out whether women developed strategies to deal with the material dependency and what kinds of agencies were available to the former slaves.

Material Activities of Manumitted Female Palace Slaves

Palace affiliation significantly influenced the material wealth and consumption habits of women. The vast majority of palace women who entered the palace as female slaves reached a certain level in society, close to that of the *askeri* class. Their affiliation with the imperial court generally brought these slave-origin women a level of material wealth that placed them within a particular position in society. Even though some of these women lived a very modest life and died in poverty, generally their affiliation with the imperial court gave these former slaves a certain elevated economic status. A small group of palace women even developed an enormous fortune rarely seen among contemporary women of free and high status. The material patronage provided to palace women both during their stay in the imperial harem and following their departure from the palace, combined with their marriages, in some cases to high-status men, affected their material world. The position and status of the palace women's husbands also had an impact on their material wealth, as did inheritances transferred from their husbands' estates. The bride price (*mehr*) of palace women provides an idea not only about the economic capacity of their husbands, but also about their contribution to their wives' fortune.

At this point, one might assume that having a certain degree of material capacity as well as absolute inheritance relationship with the former owner could impact the material activities of the freed palace slaves. In fact, the afore-

43 Evkâf-ı Hümâyun Müfettişliği, no. 116: 186 (1136/1723).

mentioned decrees noted that several strategies were developed to gain control over the palace women's properties for which the women's masters maintained some rights.[44] Such decrees suggest that palace women did not always inform the assigned personnel about their material activities. The decrees also hint that freed palace women were also exposed to the intervention of their husbands and other people, including prayer leaders and residents of their neighborhoods. These decrees were reissued repeatedly in an effort to prevent potential abuses and to secure control over manumitted female palace slaves. The decrees hint at the possible existence of hidden intentions concerning the practice of endowments and bequests. The following section evaluates the manumitted female palace slaves' charitable activities, which might have been performed with the intention of increasing their control over their properties.

Charitable Activities

In addition to facilitating the accumulation of wealth, palace affiliation also created a group of women who had the resources and inclination to engage in charitable activities. The degree of charitable giving that these women could maintain depended, of course, on their status, but overall a career in the harem, underscored by material and moral patronage, enabled many of these former slaves to amass the necessary resources—wealth, status, and networks—to be charitable. Some women had the outstanding capacity to engage in architectural patronage, while others made endowments on a more modest scale or donated their possessions. Some peculiarities of these slave origin women, such as not having contact with their natal family, the absence of a large number of heirs, and the indispensable inheritance relationship that they had with the imperial household, likely affected their inclination toward charitable activities. In fact, the available literature reveals that charitable activities allowed people an arena where they could achieve a certain degree of agency.[45] Freed slaves were certainly

44 Evkâf-ı Hümâyun Müfettişliği, no. 178: 92b–93a (1180/1767); C.SM 7226 (1190/1776).

45 It is known, for example, that some ruling elites established *waqfs* in order to protect their property against possible confiscation. For evaluations of this issue, see H. Gibb-H. Bowen, *Islamic Society and the West*, vol. I (London: Oxford University Press, 1950), 169; Hasan Yüksel, "Vakıf Müsadere İlişkisi (Şam Valisi Vezir Süleyman Paşa Olayı)," *Osmanlı Araştırmaları* 12 (1992): 399–424. Ottoman women also used the *waqfs* to manipulate the system on their behalf: Mary Ann Fay, "The Ties That Bound: Women and Households in Eighteenth Century Egypt," in *The Family, and Divorce Laws in Islamic History*, ed. Amira Sonbol (Syracuse: Syracuse University Press, 1996), 155–72; Fay, "Women and *Waqf*: Toward a Reconsideration of Women's Place in the Mamluk Household," *IJMES* 29 (1997): 33–51; Fay, "From Concubines to Capitalist: Women, Property, and Power in Eighteenth-Century Cairo," *Journal of Women's History* 10 (1998): 118–40; Margaret Meriwether, *The Kin who Count:*

aware of how they could use charitable activities as a strategy to shape their own life circumstances.

Endowment deeds and court records reveal that in every period some palace women established *waqf*s of different scales to serve in various fields. A *waqf* enabled a Muslim to assign any proportion of his or her wealth to a designated purpose. By turning his/her property into a *waqf*, a person kept some right of control over the whole of his/her property, although normally he/she could control only one-third of it. By endowing one's property as a *waqf*, a person was able not only to safeguard it from legal heirs but also to ensure the right to manage the property and to assign it to any desired purpose.[46] Palace-affiliated women established *waqfs* in three different categories: In addition to *waqf khayri*,[47] they established family *waqfs* (*waqf ahli/dhurri*) and semifamily *waqfs*. Family *waqf*s *(waqf ahli)* referred to *waqfs* made in favor of its founder and his/her relatives and descendants. The founder stipulated that he/she would be the beneficiary of the revenues and designated any heirs he/she had chosen as beneficiaries until the extinction of his/her line. In most cases, the founder named him- or herself as administrator (*mütevelli*) and defined how the heirs would succeed to the trusteeship.[48] Semifamily *waqfs* combined features of both the *waqf khayri* and family *waqfs*. In the semifamily *waqf*, although beneficiaries were charitable institutions, the founders' descendants were assured of perpetual support through a stipulation that the surplus revenues would be divided among them. Family members were also often established in paying positions, such as that of administrator.[49] In both family and semifamily *waqfs*, the founder secured and protected his/her property and also provided a permanent source of income for relatives and descendants to protect them from want.[50]

Family and Society in Ottoman Aleppo 1770–1840 (Austin: University of Texas Press, 1999); Randi Deguilhem, "Consciousness of Self, The Muslim Women as Creator and Manager of Waqf Foundations in Late Ottoman Damascus," in *Beyond the Exotic, Women's Histories in Islamic Societies*, ed. Amira El-Azhary Sonbol (New York: Syracuse University Press, 2005), 102–15.

46 For information about *waqfs* in Islam and in the Ottoman context, see R. Peters, "Wakf," *EI2, vol.* XI, 59–63; Randi Deguilhem, "Wakf," *EI2*, vol. XI, 87–92.

47 *Waqf khayri* referred to *waqfs* in which the whole revenues of the endowed property were dedicated to pious, religious, or charitable purposes. In *waqf khayri*, the founder of the *waqf* did not maintain any kind of material interest with her/her *waqf.*

48 Ö. Barkan, "Şer'i Miras Hukuku ve Evlatlık Vakıflar," *İÜ Hukuk Fakültesi Mecmuası* VI (1940): 165–81; R. Peters, "Wakf," *EI2*, vol. XI, 60–61; Bahaeddin Yediyıldız, "Vakıf," *İA*, vol. 13, 154, 172.

49 Yediyıldız, "Vakıf," 154.

50 For information about the functioning of family *waqf*s as primary vehicles for the practice of property devolution, see Beshara B. Doumani, *Family Life in the Ottoman Mediterranean, A Social History* (Cambridge: Cambridge University Press, 2017), 3–4.

A group of palace-affiliated women who established *waqfs* in the category of *waqf khayri* supported the charitable buildings that they had constructed, other women of this category endowed their properties on a more modest scale for public benefit. When palace women endowed family *waqf*s, they ensured the transmission of family wealth from one generation to the next. They usually named themselves as the beneficiary in order to receive income from the endowment and to have the right to use it during their lifetime. Their children and their children's children were stipulated as later beneficiaries. In some cases, palace women designated their freed slaves and their descendants as alternative beneficiaries. For instance, when *Sarayî* Hadice Hatun bint Abdullah endowed her house in the Hoca Kasım Günani neighborhood in Istanbul, she stipulated the following conditions: "I will be the proprietor (*mutasarrıf*) of the *waqf* during my lifetime. Following my death my manumitted female slaves and later on their children and later their children will be proprietor. Whenever the family line goes extinct, the house will be rented by the administrator and the income will go to the poor of Medina"[51] *Sarayî* Hakime Hatun bint Abdülmennan gave her house as an endowment. She first assigned herself as administrator (*mütevelli*), to be followed by her son, Ahmed Çelebi bin el-Hac Mehmed, for a salary of 2 *akçe*.[52] In this manner, *waqf*s ensured the well being of the family, and were used as a source of income for offspring and for slaves.

Apart from *waqf* practices, palace women frequently donated their properties. According to Islamic law, people could bequeath up to one-third (*sülüs*) of their estates to anyone they chose. The sharia court registers include records showing palace women bequeathing one-third of their estate or appointing a person as guardian for one-third of their estate. In some cases, following the death of a palace woman, the chosen guardian appeared in court and demanded one-third of the estate. Additionally, the *sülüs* is also recorded in the estate registers, since palace women had to register their activities such as sale, endowment, donations, and bequests. This situation may have caused issues related to donations of palace women to appear more often in the court registers.

Several examples reveal that some palace women bequeathed one-third of their estates to their freed slaves, as in the case of endowments. For instance, *Sarayî* Reftar Hatun bint Abdullah (d. 1783) assigned one-third of her estate before her death, requesting the manumission of her female slaves and bequeathing 500 *kuruş* to each of them.[53] The court records frequently show that freed female slaves of palace women claimed in court that palace women had previously donated one-third of their estates to them. To give one example from

51 EV. VKF 6/41.
52 Evkâf-ı Hümâyun Müfettişliği, no. 101: 209 (1121/1709).
53 TSMA E 110.

many: *Sarayî* Afife Kadın bint Abdülvehhab died in 1728 with a great fortune worth more than three million *akçe* (25,765.50 *kuruş*). She assigned her *sülüs*, worth 8,885.50 *kuruş*, before her death. Following her death, her six female slaves, named Hüsnüşah, Gülbeyaz, Hatmisiyah, Şehbaz, Gülbün, and Acebkâr bint Abdullah appeared in the law court set up in the Old Palace and stated that Afife Kadın had allocated 250 *kuruş* for each of them from her *sülüs*.[54] Apart from cash, palace women also bequeathed objects.[55] For instance, *Sarayî* Hatem Kadın donated part of her property, consisting of bedding and clothing, to her manumitted female slave, Ümmü Gülsüm.[56] Similarly, *Sarayî* Rukiyye Hatun bequeathed some of her property, consisting of more than 50 items, to her slave.[57]

It is difficult to ascertain the intentions of all palace-affiliated women who engaged in charitable activities. Apart from earning merit, in some cases they might have endowed or donated their properties as a way to maintain it at their disposal, to increase their control over it, and to provide benefit to some specific person or group of people. Palace women may well have founded *waqfs* and donated their properties in order to gain control of property over which their masters maintained some rights. Therefore, charitable activities functioned as arenas in which materially dependent freed slaves may have acted as actors.

Conclusion

This chapter reviews the relationship between manumitted female palace slaves and the imperial household by analyzing the women's material world. Being affiliated to a household with slave identity created a patronage relationship, an absolute inheritance relationship, and close control of manumitted slaves' material activities—and this situation regulated the relationship between freed slaves and their masters. The continuity of the women's material relationship with the imperial household to the end of their lives had implications for both parties. This article demonstrated that this enduring material relationship paved the way for a continuity of material dependency following manumission, and both parties developed agencies in return.

What does our analysis of the material world of manumitted female palace slaves from the perspective of dependency and agency tell about the practice of slavery in the Ottoman world? Female palace slaves were introduced to a system

54 Evkâf-ı Hümâyun Müfettişliği, no. 119: 17, 25, 26, 27.

55 For instance, *Sarayî* Hatem Kadın donated part of her property, consisting of bedding and clothing, to her manumitted female slave, Ümmü Gülsüm (Evkâf-ı Hümâyun Müfettişliği, no. 195:15a (1189/1775).

56 Evkâf-ı Hümâyun Müfettişliği, no. 195: 15a (1189/1775).

57 D.BŞM. MHF 12863 (1194/1780).

of Ottoman slavery without their consent. For these slaves who began to live in a foreign environment that was very different from their social and cultural origins, affiliation with a prestigious household like the imperial household carried the slave status to a different dimension and brought these slave origin women to certain level in society. Being a member of the imperial court provided privileges and opportunities for climbing the social ladder as it is seen in their material world but also contained some obligations and dependencies. But these materially dependent freed slaves negotiated dependency by deploying various strategies. They used the tools available to them and created space for themselves where they achieved a certain degree of agency. They performed agency through networks of actors such as their husbands and members of their neighborhoods.

This evaluation of the experiences of manumitted female palace slaves provides insight into what it meant to be freed slave in the Ottoman world. This article contributes to understanding the richness of slave experiences in Ottoman society and reminds us that evaluating people of slave status in the Ottoman lands as a single monolithic category does not reflect their true reality. Several factors caused variations in the experiences of slaves in Ottoman society: How they came to be enslaved, their ethnic group and sex, the sector of society they served in, their master's identity, and the requirements of the law all influenced their position and their possible future. Parallel to this, the power of the agency of the slaves always depended on the context and respective situation. Further studies of slaves could contribute to an even greater understanding of categories of slave-free-manumitted as well as concepts of dependency and agency in the Ottoman world.

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Slaves in Legal Texts

Veruschka Wagner

"Speaking Property" with the Capacity to Act: Slave Interagency in the 16th- and 17th-Century Istanbul Court Registers

In relation to their powerful oppressors, slaves were generally considered and presented as voiceless subjects condemned to passiveness and regarded as "the absent and the silent, … deprived of their agency, unable to act in their own lives."[1] Because there are too few, or sometimes even no, historical sources from enslaved people themselves, as Michael Zeuske notes, there are few texts in which enslaved people report on their lives, which is why "they do not really 'speak' in written sources" and are therefore called "voiceless."[2] Because of this paucity of first-person accounts, Ehud R. Toledano suggests "to modify our sense of the term voice," to "extend the notion of voice beyond mere utterance, verbal statements, and speech," and to "try to gauge voice from action." This chapter utilizes the concept of agency to analyze slaves' scope of action. This concept helps us to solve the categorical reduction of the "voiceless" to their status as victims, as Juliana Schiel, Isabelle Schürch, and Aline Steinbrecher argue in their chapter on current debates on agency.[3]

In their analysis of slave agency, Schiel, Schürch, and Steinbrecher also point out alternative sources for ego-documents of (former) slaves, such as legal documents.[4] The 16th- and 17th-century Istanbul court registers, for example, contain a variety of entries dealing with cases concerning slaves in the Ottoman Empire as well as providing information on slaves' room for maneuver. By taking the above-mentioned suggestions and approaches into consideration, this chapter deals with the following question: What documents concerning slaves can be found in the Istanbul court records? What forms of slave interagency can

1 Ehud R. Toledano, *As If Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press 2007), 20.

2 Michael Zeuske, *Sklavenhändler, Negreros und Atlantikkreolen: Eine Weltgeschichte des Sklavenhandels im atlantischen Raum* (Berlin: De Gruyter 2015), 58.

3 Juliana Schiel, Isabelle Schürch, and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden: Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte* 32 (2017): 18.

4 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 31.

we identify? And which aspects affected slave interagency? Although slaves, who made up a significant part of the population in Istanbul during that time, were de jure property, this chapter demonstrates the capacity of slaves to act and ways of slave interagency, in order to contribute to a better understanding of the institution of slavery in the Ottoman Empire and its characteristics.

Slave Interagency

In contrast to perceptions of slavery as a completely passive dependency of persons, evoked by Patterson's image of social death, international research has increasingly turned its attention to practices of enslavement instead of systems of slavery. For the analysis of slave agency, Toledano suggests focusing on what slaves did and how they acted in various situations, in light of the missing direct "voice evidence" of slaves.[5] However, individual agency must be considered in relation to other actors. Therefore, according to Schiel, Schürch, and Steinbrecher, agency must be analyzed systematically within social structures of interaction in order to make the suppressed comprehensible as subjects.[6] That implicates always analyzing agency in relation to other actors since "[a]gency, like power, is not a characteristic of individuals but of relationships."[7] This interactivity and reciprocity reflect the existence of interagency, as Vinciane Despret calls it, since according to her "[t]here is no agency that is no interagency."[8] Based on this concept of interagency, social relations are considered "fluid assemblies of agents,"[9] as Shaw suggested. He also proposed to take the social relationship of at least two actors as the smallest unit of analysis for the study of social agency,[10] for example, master-slave relationships like those analyzed by Schiel, Schürch, and Steinbrecher, with a focus on complex power relationships and relations of dependence as well as experiences, emotions, and practices within the interactions of the actors.[11] This approach implies challenging the division of "subject" and "object" as conventional categories of analysis,[12] since we are presuming to analyze the potential rooms of maneuver of the suppressed, not taking slaves as objects, but as subjects who act within

5 Toledano, *As If Silent*, 35.
6 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 31.
7 John Robb, "Beyond Slavery," *World Archeology*, 42 (2010): 499.
8 Vinciane Despret, "From Secret Agents to Interagency," *History and Theory, Theme Issue* 52 (2013): 44.
9 David Gary Shaw, "The Torturer's Horse: Agency and Animals in History," *History and Theory* 52 (2013): 149.
10 Shaw, "The Torturer's Horse," 155.
11 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 22.
12 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 23.

relations and social interactions.[13] Here Schiel, Schürch, and Steinbrecher refer to Bruno Latour, who said "[t]o be a subject is not to act autonomously in front of an objective background, but to share agency with other subjects that have also lost their autonomy."[14] And the issue here "is not about seeking independent existences but about inquiring about the multiple ways one given creature depends on other beings. To be an agent requires dependency upon many other beings; being autonomous means being pluri-hetero-nomous," as Despret explained.[15] That implicates that no social subject can act independently but always in relation to others. Concerning slaves, these relations can be between slaves and masters as mentioned above or between slaves and other slaves, family members, people of the household, etc. As we will see further below, the sources at hand generally deal with cases concerning the relationship between the (former) master and the (former) slave.

Escape as well as rebellion are considered forms of agency, while resistance (and modes of resistance) constitutes another form.[16] All these forms of agency aim at improving one's own circumstances (and those of other people in one's community or society). A general dictionary definition of agency produces the following explanation: Agency is "the capacity, condition, or state of acting or of exerting power."[17] Does this mean that powerlessness reflects the absence of agency? We know that Patterson defines a slave as someone "usually powerless in relation to another individual."[18] But is power or the lack thereof really the crucial point? Of course, the ability to exert power or the condition of absolute freedom was not possible or absent in the life of slaves.[19] But we have to consider agency as it exists within the limits of slavery as notions of agency and to keep in mind that "[s]laves' agency was limited and influenced by their specific circumstances, which created different forms of agency."[20] If we assume that there were different forms of slave agency, we have to consider what they depended on and the capacity slaves had to act. We can also differentiate between individual and collective agency, since agents sometimes joined up in order to act collectively. Another point that must be taken into consideration is the difference between

13 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 31.
14 Bruno Latour, "Agency at the Time of the Anthropocene," *New Literary History* 45 (2014): 5.
15 Despret, "From Secret Agents," 44.
16 Concerning the critique on reducing slave agency to rebellion or resistance see, for example, Jeffrey D. Needell, "The Abolition off the Brazilian Slave Trade in 1850: Historiography, Slave Agency and Statesmanship," *Journal of Latin American Studies* 33 (2001): 681–711.
17 "Agency," Merriam-Webster Dictionary (https://www.merriam-webster.com/dictionary/agency).
18 Simone Kouwenhoven, "Representing Slave Agency: Agency and its Limitations in Slave Narratives and Contemporary Slavery Fiction and Film" (MA thesis, Leiden University, 2015), 4.
19 Kouwenhoven, *Slave Agency*, 9.
20 Kouwenhoven, *Slave Agency*, 62.

legal status and the factual status of slaves. This chapter considers slave agency as the individual action(s) of a slave that might have possible outcomes for the slave or others, and that is always related to others and therefore must be recognized as interagency.

Slavery in the Ottoman Empire

Slavery differs not only from society to society; besides regional and cultural variations, there are also different forms of slavery in rather narrow geographical and temporal contexts, depending on different circumstances and conditions. In the Ottoman Empire, the institution of slavery was an integral part of society and continued to exist up into the 20th century. Slavery was an accepted institution, regulated and supported by law. "The medieval Muslim family, like that of most of the ancient societies, included slaves as well as kinfolks, and these are regarded in many ways as members of the family."[21] In the 16th and 17th centuries, slavery was not considered of exceptional nature, neither in Islamic law nor in Turkish culture.

Slaves in the Ottoman Empire in the 17th century were used as farm laborers as well as household workers and companions,[22] whereas most slaves in the later Ottoman centuries were domestic slaves or were employed within extended households, having different duties and positions.[23] The main sources for slaves in the Ottoman Empire were captives from different regions like Africa, the Balkans, and the Black Sea. During the 16th century, "the ethnic origins of slaves indicate that captives taken during the Ottoman expansion into Eastern Europe were the dominant source of slaves,"[24] whereas in the early 17th century, several shiploads per week reached Istanbul from Crimean Caffa on the Black Sea Cost. "At the same time, the slave merchants were even organized into a guild in Istanbul—with about 2000 members."[25] Halil İnalcık specifies the annual slave population imported alone from Poland-Muscovy and Circassia to over 10,000 in

21 Bernard Lewis, *The Political Language of Islam* (Chicago: University of Chicago Press, 1988), 16.

22 Timur Kuran, ed. *Mahkeme Kayıtları Işığında 17. Yüzyıl İstanbul'unda Sosya-Ekonomik Yaşam*, vol. 1: Social and Economic Life in Seventeenth-Century Istanbul: Glimpses From Court Records (Istanbul: Türkiye İş Bankası Yayınları, 2010), 65.

23 Madeline Zilfi, "Ottoman Slavery and Female Slaves in the Earle Modern Era," in *The Great Ottoman-Turkish Civilisation*, vol. 2: Economy and Society, ed. Kemal Çiçek (Ankara: Yeni Türkiye, 2000), 715.

24 Yvonne J. Seng, "Fugitives and Factotums: Slaves in Early Sixteenth-Century Istanbul," *JESHO* 34 (1996): 164.

25 Alan Fisher, "Muscovy and the Black Sea Slave Trade," *Canadian-American Slavic Studies* VI (1972): 576.

the period between 1500–1650.[26] Kołodziejczyk concludes that "until 1700 the Black Sea slave trade was fully comparable in size with the Atlantic slave trade. It was only in the 18th century that the Black Sea slave trade gradually declined while the Atlantic slave trade reached its peak."[27]

The Ottoman Court Registers

In this study with its microhistorical approach, I describe examples of possible slave agency and potential rooms for maneuver found in the entries of the Ottoman court registers of the 16th and 17th centuries recorded in Istanbul. The legal documents are thereby considered as "evidences of dynamic social relationships," revealing a new perspective on the master-slave relationship, as suggested by Schiel, Schürch, and Steinbrecher.[28] Consequently, slaves are seen as social subjects who actively shaped their relationships to their masters and affected the network of interaction with their social environment.[29]

Ottoman court registers called *şerʿiyye sicil defterleri* or *şerʿiyye sicilleri* as well as *kadı sicilleri* are of great importance for examining the economic or social aspects of Ottoman society.[30] The registers contain a variety of documents recorded by a kadi (*kadı,* judge) concerning all kinds of transactions among Muslims as well as between Muslims and non-Muslims.[31] The court registers are also a highly valuable source for analyzing slavery during the Ottoman Empire.

26 Halil İnalcık, "Part I: The Ottoman State: Economy and Society, 1300–1600," in *An Economic and Social History of the Ottoman Empire 1300–1914,* ed. Halil İnalcık and Donald Quataert (Cambridge: Cambridge University Press, 1994): 285.

27 Dariusz Kołodziejczyk, "Slave Hunting and Slave Redemption as a Business Enterprise: The Northern Black Sea Region in the Sixteenth to Seventeenth Centuries," *Oriente Moderno: The Ottomans and Trade* 25 (2006): 152.

28 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 26.

29 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 26.

30 İnalcık already emphasized in his article published in 1943 the importance of court registers for the analysis of the Ottoman administration and social history. See Halil İnalcık, "Osmanlı Tarihi Hakkında Mühim Bir Kaynak," *A.Ü. DTCFD* 1 (1943): 89. For legal texts as historical sources, see also Dror Ze'evi, "The Use of Ottoman Sharīʿa Court Records as a Source for Middle Eastern Social History: A Reappraisal," *Islamic Law and Society* 5 (1998): 35–56.

31 For an overview of the existing *sicils* in the archives, see Ahmet Akgündüz, *Şer'iye Sicilleri,* vol. 1: Mahiyeti, Toplu Kataloğu ve Seçme Hükümler (Istanbul: TDAV, 1988). For an introduction into the topic, see Yunus Uğur, "Şerʿiyye Sicilleri," *DİA*, vol. 39, 8–11; İnalcık, "Osmanlı Tarihi Hakkında;" Ze'evi, "The Use of Ottoman Sharīʿa Court Records." For studies drawing on the Istanbul court registers, see Yvonne J. Seng, "The *Şer'iye Sicilleri* of Istanbul Müftülüğü as a Source for the Study of Everyday Life," *TSAB* 15 (1991): 307–25; Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage* (Leiden: Brill, 2004) and Nur Sobers-Khan, *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers*, 1560–1572 (Berlin: Klaus Schwarz Verlag, 2014).

The evaluation of the entries concerning slaves yield data on communication, households, and the relationships between slaves and slave owners, and they provide insights into the slaves' scopes of action.[32] From the variety of terms used for slaves in Ottoman Turkish,[33] in the documents at hand we find terms like *câriye*(*-i memlûke*) for a female slave, *câriye-i muʿtaka* for an emancipated female slave, *câriye-i abıka* for an escaped female slave, *abd*(*-ı memlûk*) for a male slave, and *abd-ı abık* or *ibâk* for an escaped male slave. *Rıkk* or *rakîk* was a term used for both female and male slaves, just like *köle.* The term *âzâdlı köle* (free slave) was used in the documents as well after emancipation. Legally speaking, slaves appear (1) as partners of an agreement, for example, in work contracts, sale contracts, credit agreements, matrimonies, or manumission contracts; (2) as defendants, for example, in records of escapes and recaptures; (3) as plaintiffs, for example, in proofs of nonslave status, and (4) as beneficiaries, for example, in inheritance inventories, provisions of *waqf* rights, and deeds of donations or gifts. Such entries deal with cases concerning the time of enslavement, the time of emancipation, and the time after enslavement. The degree of slave interagency depended on the modes of the legal cases and the respective circumstances. In this chapter, we deal with examples from all four categories.

Not all cases were brought to and recorded at court, since substantial fees had to be paid for written documentation.[34] Toledano argues that slaves suffered disadvantages in their access to the legal system.[35] Accordingly, court records reveal only a partial picture, for example, of the give-and-take of a complex relationship between a slave and the slave owner, "especially since master-slave disputes would first be dealt with informally before being brought to the courts," as Charles L. Wilkins points out.[36] Still, when regarding the analysis of interagency between historical actors as the basis for the proof of slave agency in general, it is useful to take the master-slave unit as it is recorded in the Istanbul court registers since almost all cases concerning slaves also somehow involve their masters or mistresses.

The entries also lead to the question of the legal status of a slave. According to Islamic law, slaves were considered property. Once a person had become a slave, he or she came under the jurisdiction of property laws and could be bought and

32 Hanß and Schiel also point out that the analysis of court records could indicate slave agency. See Stefan Hanß and Juliane Schiel, "Introduction," in *Mediterranean Slavery Revisited (500–1800)/Neue Perspektiven auf mediterrane Sklaverei (500–1800),* ed. Hanß and Schiel, with editorial assistance by Claudia Schmid, (Zürich: Chronos Verlag 2014), 34.

33 On this see, for example, Zilfi, "Ottoman Slavery," 716.

34 Suraiya Faroqhi, "Manumission in 17th-Century Suburban Istanbul," in *Mediterranean Slavery*, ed. Hanß and Schiel, 388–89.

35 Toledano, *As If Silent*, 108–10.

36 Charles L. Wilkins, "Slavery and Household Formation in Ottoman Aleppo, 1640–1700," *JESHO* 56 (2013): 366.

sold like any commodity.[37] But different from "silent" property (*mâl-ı sâmit*), such as personal items and real estate, slaves were defined as "speaking" property (*mâl-ı nâtık*), such as livestock.[38] Slaves were also counted as movable property items (*menkul mâl*) and could therefore be endowed, among other things.[39] We see slaves listed alongside livestock and household goods as part of an estate inventory.[40] This status provided slaves with no capacity to have rights, though to a certain extent they had the capacity to act. They could obtain a power of attorney to trade or to assign property, for example.[41] Some registers "include cases in which a slave appears in court as the legal agent of his master."[42] At the same time, "slaves made use of the court to ensure their manumission, to register their contracts, and to protect their inherited property rights."[43] We also find entries revealing that a current or former slave even sued the heirs of his or her master to contest the apportionment of an estate. In many contexts, the court granted the slaves rights equal to those of free individuals.[44]

In these entries, the clear categorization of slaves as property seems to vanish upon closer inspection. Martha Roth already noted that "although discussions of social and legal categories tend to focus on polar or binary pairs … relational statuses are more nuances in the daily operations of social interactions."[45] Nevertheless, according to law, Ottoman society was defined mainly by drawing a clear distinction between free and unfree status. Up to the 18th century, the Islamic terms for "free" had a primarily legal, and occasionally social, significance, describing someone who, according to the law, was a free man and not a slave.[46] As Bernard Lewis states,

> Neither term, 'free' or 'slave' was used in a political context, and the familiar Western use of the terms 'freedom' and 'slavery' as metaphors for citizen's rights and oppressive rule is unknown to the language of classical Islamic political discourse.[47]

37 Halil Sahillioğlu, "Slaves in the Social and Economic Life of Bursa in the Late 15th and Early 16th Centuries," *Turcica* 17 (1985): 50.

38 Yvonne J. Seng, "A Liminal State: Slavery in Sixteenth-Century Istanbul," in *Slavery in the Islamic Middle* East, ed. Shaun E. Marmon (Princeton: Markus Wiener Publishers, 1998), 25.

39 Bülent Tahiroğlu, "Osmanlı İmparatorluğunda Kölelik," *İstanbul Üniversitesi Hukuk Fakültesi Memuası*, 45 (2011): 659.

40 Kuran, *Mahkeme Kayıtları*, 65.

41 Tahiroğlu, "Osmanlı İmparatorluğunda Kölelik," 657.

42 Kuran, *Mahkeme Kayıtları*, 65.

43 Kuran, *Mahkeme Kayıtları*, 65.

44 Kuran, *Mahkeme Kayıtları*, 65.

45 Martha Roth, "Gender and Law: A Case Study from Ancient Mesopotamia," in *Gender and Law in the Hebrew Bible and Ancient Near East*, ed. Victor H. Matthews, Bernard M. Levinson, and Tikva S. Frymer-Kensky (Sheffield: Sheffield Academic Press, 1998), 174.

46 Lewis, *Political Language*, 65.

47 Lewis, *Political Language*, 65.

We find several entries called *hüküm* (judgment) in the court registers, which confirm that someone is not a slave but a free person. We find phrases like *Ahmed'in köle olmadığı(nın tespiti*) ("(the proof) of Ahmed not being a slave") or *Ahmed adlı kimesnenin aslen hür olduğu* ("the person called Ahmed is essentially free"). Thus, being free has the same meaning as not being a slave or a captive. Consequently, either you are a free person or you are a slave. This dichotomy concerning legal terms is important, even though we would prefer scales of dependencies and different forms of dependency. In aspects other than legal terms, however, we are moving away from binaries to continuums, as emphasized by Toledano and as current debates concerning the topic of slavery and dependencies demonstrate.[48]

Slave Interagency in the Istanbul Court Registers

The documents we find most frequently in the Istanbul court registers of the 16th and 17th centuries[49] are manumission documents, records of escapes and recaptures, and proof that someone is not a slave but a free person. Some entries document donations from masters to their former slaves. In this chapter we look more closely at some examples of these kinds of documents to extract more detailed information about slave interagency. Generally speaking, besides the process of emancipation, many of these topics deal with aspects of freedom or at least the attempts to become free and life after enslavement. But does this mean that slave agency is limited and refers only to the time after having been a slave? Would that not assume a lack of agency or at least less agency during the time of enslavement? Or is agency simply less likely to be recorded in legal cases occurring during enslavement?

48 See, for example, Robert Gudmestad, who in his article on slavery in the American South (and the United States) suggests using a continuum between freedom and extreme enslavement to better understand the influence of slavery. Robert Gudmestad, "What Is a Slave Society? The American South," in *What Is a Slave Society? The Practice of Slavery in Global Perspective*, ed. Noel Lenski and Catherine M. Cameron (Cambridge: Cambridge University Press, 2018), 272. For a broader debate on "free and unfree labor," see, for example, Tom Brass and Marcel van der Linden, eds., *Free and Unfree Labour: The Debate* Continues (New York: Peter Lang, 1997).

49 The Istanbul area court records for the 16th century and for the most part of the 17th century have been digitalized and are online accessible. İSAM (İslam Araştırmaları Merkezi/The Center for Islamic Studies) published 40 volumes of 16th- and 17th-century court registers from Istanbul-area courts, each volume containing Latin-script transliterations of the entries with modern Turkish summaries and facsimiles of the original texts. Accessibility to digital copies of these entries enables a keyword search and simplifies analysis and examination (http://www.kadisicilleri.org). Another 60 volumes of the Istanbul court registers from 1557 to 1911 have recently been published and made accessible.

Manumission Documents

Most entries in the Istanbul court registers on slaves of the 16th and 17th century concern manumission. The four different forms of manumissions in the Ottoman Empire (or rather Islamic law) all indicate a different form of slave interagency: (1) manumissions known as *ıtk* was a pious act carried out by the manumission by the owner; (2) the *mükâtabe* or *kitâbet*, a contract between the slaveholder and the slave stating that they agreed on a matter concerning either an amount of money, time, or work a slave had to fulfill in order to gain his or her freedom; (3) the *tedbîr,* enacted after the death of the slave holder; (4) the *ümmü'l veled* or *ümmüveled*, the term applied to the female slave who gave birth to an owner's child and was therefore guaranteed her freedom upon the owner's death.

A comparison of the manumission documents of different Ottoman cities indicates, that "there may have been a significant difference in the manumission practices."[50] Entries in the court registers of Aleppo in the second half of the 17th century, for example, reveal a significant majority of *ıtk* manumissions, whereas there are almost no *mükâtabe* and *tedbîr* variations.[51] In contrast, the Istanbul court registers of the 16th and 17th centuries indicate that, apart from a large number of *ıtk* manumissions, the *tedbîr* was also used quite frequently. Similar to the results of the entries of the court records of Aleppo, the imbalance in numbers concerns the *mükâtabe* and the other types of manumission in the court records of Istanbul as well.

Manumission documents are apparently quite standardized, and the same phrases are used in almost all documents on this topic. In the manumission documents, we find the notion that, after manumission, the slave is as free as other freeborn (*hür doğanlar gibi hürdür* or *sâir ahrâr gibi hürdür*). Their masters lose all rights to their slaves except for the right to bequeath them. We know that manumissions did not necessarily mark the end of the relationship between slave and master. "The peculiar stipulation of Islamic law," İnalcık explains, "gave rise to a paternalistic type of master-slave relationship which fostered strong social ties especially where domestic slaves were involved."[52] (Former) slaves and masters often maintained a patron-client relationship. Wilkins also remarks that studies on various Ottoman cities showed that "merchants relied heavily on freedmen to conduct business on their behalf and entrusted to them large amounts of capital."[53] So what determined the relationship

50 Wilkins, "Household Formation," 372.

51 Wilkins, "Household Formation," 370.

52 Halil İnalcık, "Servile Labor in the Ottoman Empire," in *The Mutual Effects of the Islamic and Judeo-Christian Worlds: The East European Pattern*, ed. Abraham Ascher, Tibor Halasi-Kun, and Bela K. Kiraly (Brooklyn: Brooklyn College Press, 1979), 30 n. 26.

53 Wilkins, "Household Formation," 359 and n. 37.

and how dependent were masters on their slaves—and does this implicate slave interagency?

The *mükâtabe* was a widely practiced contract in the Ottoman Empire, as can be seen from the court records—and it was also recommended by the Quran. This could be explained by the guarantee of "good and profitable service for a certain period of time since, as a rule, lifetime slaves tended to run away or to be indolent," as İnalcık explained.[54] It bound "both sides so that the owner could not change its conditions at the expense of the slave," and it "consisted in the master's granting his slave freedom in return for the payment of mutually agreed upon sums of money."[55] Although Bülent Tahiroğlu argues that the *mükâtabe* should be seen more as a command than an agreement—since slaves were commodities who were not supposed to have any will—he still notes that, despite this characteristic of an order, the slave's approval was obtained and his or her acceptance is mentioned in the contract.[56] The term for "[the slave] agreed" is expressed by the words *razı olmak* or for a slave accepting the mentioned contract words such as *kitâbet-i merkûmeyi kabûl edip* … were used. Although we don't know what is specifically implied by the terms "to agree" or "to accept," it indicates at least some slave interagency. Yet the question remains how much self-determination and how much slave agency lay behind this? How truly free was the slave's decision about this agreement?

A more detailed way of approval that more precisely indicates slave agency is described in another entry of the court registers. Whereas most contracts use the phrase *mükâtebe anlaşmasına razı olmak* ("to agree to the *mükâtabe* contract"), one entry concerning the *mükâtabe* contract of a slave of Bosnian origin explicitly mentioned that the slave whose features were described above "agreed face to face and verbally to serve" for the years stated (*hizmet etmeyi vicâhen ve şifâhen kabûl etti*). This is interesting inasmuch as it represents, on the one hand, evidence of slave agency, described by the presents of the slave and the verbal approval to the agreement. On the other hand, this record leads to the question whether in other cases in which the approval by the slave was not done "face to face and verbally" the contracts were concluded in the absence of the slave. Based on the description of the features of the slaves in records of this kind, we can conclude that the slaves did attend the legal proceedings. The apparent "voicelessness" could result from the missing language skills of the slaves in question. One may assume that mediators were involved in those cases. The mention of the approval or acceptance of the slave in most contracts—and in some cases an even

54 İnalcık, "Servile Labor," 29.
55 İnalcık, "Servile Labor," 28.
56 Tahiroğlu, "Kölelik," 667.

more detailed description thereof—reveals the different degrees of slave interagency.

Manumission Documents Defining the Duration of Enslavement

Legally speaking, the *mükâtabe* was the beginning of an agreement that was terminated by the manumission document.[57] In consequence of *mükâtabe* contracts, slaves were manumitted according to the conditions previously agreed upon. We can distinguish between different forms of slave interagency depending on the types of manumission set down by the contracts. In contrast to other types of manumission, especially those carried out as pious acts, manumission documents in consequence of a *mükâtabe* contract usually list either the amount of money slaves gathered to pay for their freedom without specifying the work they had to do or the time period they had to fulfill in order to gain emancipation. Besides the amount of money or the time, the amount of a certain product could be the subject matter of a contract as well. One of these or a combination two thereof was also possible. The different conditions were determined by aspects stemming from the financial and emotional value of a slave and therefore provided or demanded different kinds of slave interagency. In the Istanbul court registers is a *mükâtabe* contract that informs us about an agreement between Mehmed Çelebi b. Ahmed Çelebi and Şimerd b. Abdullah, of Ukrainian origin. The contract states that the slave agreed to serve for 11 years, and that he will become a free person after this period of time. We can also derive from the document that the slave status Şimerd b. Abdullah had before the agreement will endure until he has fulfilled the contracted time.

Besides the determined time period, which could vary, we find other information concerning slave agency in the following example: In a document from the year 1607, a slave of Hungarian origin called Osman b. Abdullah was manumitted by his master, Hasan Beşe b. Mustafa, after he had served as a slave "continuously for three years" and "without trying to escape or being disloyal" (*kaçmaksızın ve hiyanet etmeksizin*).[58] This was a common phrase found in several entries like the one describing a female slave, also of Hungarian origin, called Meleksima bt. Abdullah, who was manumitted by the same master, Hasan Beşe b. Mustafa, after 5 years of service "without trying to escape or being disloyal."[59] What can be seen in these two entries is that slaves from the same master served for different time periods before being manumitted. Besides the

57 Tahiroğlu, "Kölelik," 667.
58 *Galata Mahkemesi* 32 [35b–3].
59 *Galata Mahkemesi* 32 [34a–3].

question of what determined the time period and what role the slave had in that matter, it is interesting to see that it is mentioned that both slaves did not try to escape and were loyal to their master. In this way, the slaves influenced their time of enslavement and their manumission by cooperating or not taking advantage of opportunities. When action includes both commission and omission—"that is, not only what the enslaved did but also what they did not do, whether by choice or because of various constraints,"[60] then omission can also be recognized as agency. In the case of the two slaves Osman and Meleksima, their not trying to escape and being loyal was awarded with manumission—at least according to the text in the entry. Although the documents recording manumission contain standardized phrases, this phrase concerning the omission of trying to escape (*kaçmaksızın* as mentioned in these two examples or *bilâ-ibâk* as used in a few other documents) is not typical and therefore has to be taken into consideration.

Manumission Documents Defining the Amount of Money to Be Paid for Enslavement

Another form of slave agency is indicated by a different kind of condition as determined in the *mükâtabe* contracts: Slaves paid a certain amount of money for their emancipation. One entry describes how a slave of Circassian origin called Ferhad b. Abdullah was manumitted in return for a payment of 7,000 *akçe*. The amount of money could vary as we see in another entry, where it is stated that a slave of Abkhasian origin called Mahmud b. Abdullah had to pay 8,500 *akçe* compensation to regain liberty. These contracted manumissions, as İnalcık puts it, "meant actually to allow the slave to exercise certain rights such as to work independently and to own his earnings so that he would be capable of ransoming himself."[61] The payment of the money could even be more specified, a document about a slave called Nikola of Cyprian origin shows. It is recorded that Nikola had to pay 100 *akçe* every month until reaching the sum of 3,000 *akçe* in total.[62] What is interesting here is that the monthly payment also determined the time of enslavement. Whereas the money-based contract usually does not define the time period (at least it is not mentioned in the most contracts of this type) and guarantees freedom in rather vague terms, the time-based contract promises emancipation at a certain date. Further, the added information of the slaves who loyally served their masters without trying to escape is mentioned only in some of the time-based contracts. These aspects indicate a fundamental difference be-

60 Toledano, *As if Silent*, 35.
61 İnalcık, "Servile Labor," 28.
62 *Galata Mahkemesi* 7 [46–3].

tween these two kinds of contracts. But what defined the amount of money or the time a slave had to work for a master before receiving manumission? Since there seems to be no regulation, one can assume that, in addition to other aspects, slaves took part in the decision by interagency.

Religion was an important issue in the Ottoman Empire. Besides the category "free" and "unfree," Ottoman society was defined by who was a Muslim or a non-Muslim. As others have already emphasized, conversion was a means of integration into society. In the documents concerning the manumission of slaves we see that a large number of slaves had converted to Islam (recognizable by their taking a Muslim forename). Still the conversion rate of slaves bound by *mükâtabe* contracts is lower than that of slaves manumitted in the consequence of a pious act. Nur Sobers-Khan concludes in her study that "slaves whose manumission was more subject to the whims of their master" converted more often than slaves whose "religious conversion would not have an immediate outcome on the speed of their manumission," since their freedom was guaranteed through the payment of an amount of money or serving of a certain time period.[63] A slave of Ukrainian origin was manumitted not on the basis of *mükâtabe*, but as a pious act (*ıtk*), and it can be derived from the record that the slave converted to Islam. In another record two female slaves of Ukrainian origin were manumitted and also must have previously converted to Islam. Both entries contain the remark that the limbs of someone who sets free a Muslim are freed by Allah from the fire of the hell (*Kim bir müslümanı âzâd ederse Allah onun bütün uzuvlarını cehennem ateşinden âzâd eder*).[64] The conversion of slaves was explicitly mentioned in the entries of the court register, and it could bring benefits to the slave like earlier manumission. This indicates that conversion was another means of slave agency recorded in the court registers which helped slaves to guarantee or at least quicken the process of manumission or to become integrated into a household or community.

Interestingly, in the entries discussed here, we find a more or less equal number of male and female slaves manumitted by the *ıtk* method of manumission—but far less female slaves are among the *mükâtabe* contracts. The duration of a contract could vary between 1 and 11 years,[65] and the amount paid

63 Sobers-Khan, *Slaves Without Shackles*, 119.

64 *Galata Mahkemesi* 65 [64a–1] and Rumeli Sadâreti Mahkemesi 56 [7b–1]. This remark refers to a famous hadith affirming: "The man who frees a Muslim (v.l. 'a believer') slave, God will free from hell, limb for limb." See Robert Brunschvig, "ʿAbd," *EI2*. http://dx.doi.org/10.1163/1573-3912_islam_COM_0003. (accessed on 27 November 2018).

65 At least in the documents I have seen so far, because according to Tahiroğlu it varies between 2 and 14 years. He also argues that it remains very unlikely to find the entry of a *mükâtabe* contract and the corresponding manumission document, because of the time-span between the issuing of the two relevant documents. See Tahiroğlu, "Kölelik," 667.

to become free was between 3,000 and 10,000 *akçe*. In the Istanbul court records under consideration here, no contracts are based on a specific amount of a product, as found in other cities, for example, Bursa, which was known for its textile industry. The contracts themselves contain no explanations for the conditions laid down. So what determined the duration or the amount of money? According to Halil Sahillioğlu, the amount of money designated in a contract was determined by several factors:

> Sheer benevolence on the master's part, years of service on the side of the slave, or on the other hand, the master's expectation of a specific service from the slave's abilities, the profit expected in return for the money invested in the slave, the importance the slave attributed to his freedom, his impatience about his status etc. might all affect the price that the slave was required to pay for his freedom.[66]

Sahillioğlu explains that the time period was determined by the following factors: money paid to the slave, the importance given to the slave by his or her master, and the social relationship between master and slave.[67] The Istanbul court registers contain far more *mükâtabe* contracts based on a time period than on a payment. The fact that there were different ways of manumitting a slave leads to the question of what influenced the master's decision for a special kind of manumission and the respective conditions. "The overwhelming predominance of immediate manumissions," as Wilkins[68] argues concerning the court records of Aleppo in the 17th century, "suggests that in general the master used manumissions only selectively as a strategy of accommodation and reconciliation addressing the concerns of the slave in question."[69] That means that the concerns of the slave influenced the decision of manumission. We can conclude that these concerns were individual and depended on the respective slave. According to Wilkins, the provisional and contractual types of manumission, as he calls them, "imply a planned and deliberate act by the master carried out specifically to reward or compensate his slave."[70] Schiel, Schürch, and Steinbrecher demonstrate that, despite power imbalances, slaves could play an active part in shaping the master-slave relationship, for example, by establishing personal closeness or providing special skills and knowledge.[71] Or, as Madeline Zilfi puts it, "for both

66 Sahillioğlu, "Social and Economic Life," 52.

67 Halil Sahillioğlu, "Onbeşinci Yüzyıl Sonunda Bursa'da Dokumacı Köleler," *Atatürk Yıllık Konferansları* VIII (1983): 221.

68 Wilkins calls the *ıtk* an "immediate" or "pious" manumission, the tedbîr a "provisional" manumission, and *mükâtabe* a "contractual" manumission; see Wilkins, "Slavery and Household Formation," 368.

69 Wilkins, "Household Formation," 368.

70 Wilkins, "Household Formation," 368.

71 Schiel, Schürch, and Steinbrecher, "Von Sklaven," 30.

males and females, access to a master's or mistress's affections was always the most promising path" to gaining freedom.[72]

Whatever the occasion for manumitting a slave was—whether the conversion of the slave to Islam, the owner's promotion in the Ottoman hierarchy, participation in a military victory, or the marriage or circumcision of a son[73]—they had all one thing in common: "In all cases," Alan Fisher writes citing Galabov, "it is important to note that the freed slave retained some personal relationship to the former owner as a form of clientship."[74] Or, as Wilkins puts it, "One might view these events as precipitating factors, with the long-term development of trust and affection between the master and slave as the necessary pre-condition."[75]

Certain terms and linguistic patterns of word order and sequences of sentences were used in the court records, but apart from standardized phrases we find no regulations concerning the characteristics of manumitting a slave (other than its being supported by Islam). The duration or the amount of money or products requested for the manumission depended on the master. This again suggests a potential scope of participation when shaping the action on the part of the slaves.

Records of Escapes

In contrast to manumission documents that deal with the process of emancipation over a long-term perspective, escapes demonstrate a break during the time of enslavement. The relationship between master and slave is probably the most significant aspect of that topic. Escapes or escape attempts are the most evident forms of slave interagency. Some slaves decided to flee in order to ameliorate their bondage condition. Besides other reasons, the main one was to escape abuse, "whether physical or verbal in nature," as Ferguson and Toledano state.[76] The decision to escape or to attempt escape is clearly determined by the relationship between slaves and people around them, primarily their master. Some documents record escapes attempted by slaves on their own or by slaves as a collective action such as the short entry of eight slaves who managed to escape by

72 Zilfi, "Ottoman Slavery," 716.

73 Alan Fisher, "Studies in Ottoman Slavery and Slave Trade, II: Manumission," *Journal of Turkish Studies* 4 (1980): 50.

74 Fisher, "Studies in Ottoman Slavery," 50, quoting Galab D. Galabov, *Die Protokollbücher des Kadiamtes Sofia* (Munich: R. Oldenbourg, 1960).

75 Wilkins, "Household Formation," 369.

76 Michael Ferguson and Ehud R. Toledano, "Ottoman Slavery and Abolition in the Nineteenth Century," in *The Cambridge World History of Slavery*, vol. 4: AD 1804–AD 2016, ed. Davis Eltis et al. (Cambridge: Cambridge University Press, 2017), 212.

night from a jail in Üsküdar by breaking their chains and breaching the wall. From this entry we can assume that the slaves in jail had committed some crime, which of course also indicates slave interagency. However, we must differentiate between individual and collective slave agency. While Marcia Wright wrote that consciousness of slave status did not necessarily lead to actions aimed at ending it, Kopytoff and Miers have noted that consciousness would "lead to solidarity and consequently to the possibility of concerted action."[77] This example shows what John Robb defines as "the capacity for action of the relationship forming individuals into a group"[78] and can be seen as a kind of concerted action, which is also a very interesting topic pertaining to the circumstances under which slave agency became collective. Yet it also indicates networks built and used by slaves just like when slaves joined together in order to escape, as documented in an entry from 1663. These slaves convinced two more slaves to join in the escape, the document states. The master of the latter complained not only about his slaves' attempt to escape but also about being robbed by them. As in the other document mentioned, these slaves were also recaptured.[79] We can derive from this entry that slaves were able to network and were able to join together for shared interests, which clearly demonstrates the capability of interagency. Another point indicating agency is their ability to make own choices and to influence others.[80]

The failure of an escape attempt could result in the recapturing of the slave, an issue also recorded in the court registers, as seen above. The slaves were recaptured and brought back to their former masters. In general, these documents provide information about the slaves' origin, name, external characteristics, the name of their master, and the time and place where they were recaptured. The entries record that the slaves were again handed over to their masters. In one entry, we find the information that a person called Memi Ağa b. Hasan claimed to have gotten back his Ukrainian slave called Rıdvan b. Abdullah, who had ran away 2 years previously. During this time, Rıdvan was sold to someone else, as we can derive from the sources. But the document also states that "the slave in question is only a property belonging to him" [= Memi Ağa], and since Memi Ağa did not sell, donate, or remove him from his ownership, the document ascer-

77 This comparison was made by Hussein Ahmed. See Hussein Ahmed, "Benevolent Masters and Voiceless Subjects: Slavery and Slave Trade in Southern Wällo (Ethiopia) in the 19th and Early 20th Centuries," *Annales d'Etiopie* 25 (2010): 203 and n. 52, 53, quoted from the following studies: Marcia Wright, "Consciousness and Protest among Slave Women in Central Africa, 1886–1911," in *Women and Slavery in Africa*, ed. C. C. Robertson and M. A. Klein (Madison, University of Wisconsin Press, 1983), 264; Igor Kopytoff and Suzanne Miers, "African 'Slavery' as an Institution of Marginality," in "Slavery in Africa," ed. S. Miers and I. Kopytoff (Madison, University of Wisconsin Press, 1977), 21.

78 Robb, "Beyond Slavery," 503.

79 *İstanbul Mahkemesi* 12 [51b–3].

80 Kouwenhoven, *Slave Agency*, 5.

tained that Rıdvan had to be returned to his former master. What is interesting here is, first, the duration of the period that had passed since the slave escaped and, second, the clear determination of the legal status of the slave as the property of his master.

Slaves had various intentions to escape other than just regaining liberty. Some of them ended up in another master-slave relationship like a Georgian slave with the former name of Kurd, who succeeded in escaping from his master during the return of a journey from the East. What we can derive from the documents is that he became the servant of someone else after his escape and was called Ferru(h). Without knowing the circumstances of the escape, we can see that Kurd or Ferru(h) did not regain his liberty but became the someone else's servant. He was then found by his former master who went to court to get him back.[81] The fact that a slave's escape had such an impact on other people in some relationship to the slave indicates the possible extent of slave interagency. The escape affected others, like his former master, who went to court to get his slave back, or the kadi, who concerned with the trial or his new master or all the others not mentioned in the court records. But documentations of slave interagency did not end with their recapture since some entries mention slaves claiming not to be slaves. A female slave called Şahbaz bt. Abdullah from Eyüp escaped from her master and in doing so took along some of his belongings. What we can learn from the document is that Şahbaz bt. Abdullah argued that she used to be a freeborn woman from a town in Rumelia, and that her husband had brought her to Edirne where he sold her. The entry also states that the female slave had to prove her assertion by evidence,[82] demonstrating that her agency was required when being asked for action.

These examples demonstrate that both male and female slaves tried to escape. They were also of different origin. As mentioned above, one must differentiate between individual and collective agency: Collective agency is based on networks, but is individual agency in the case of slaves possible without networks? To quote Robb once more, "agency is not a characteristic of individuals but of relationships; it is the socially reproductive quality of actions within social relationships."[83] That indicates that slaves had reference to networks and ties slaves, even though these are not apparently visible in the court records.

81 *Üsküdar Mahkemesi* 84 [105b(2)-1].
82 *Eyüb Mahkemesi* 90 [31b–4/32a].
83 Robb, "Beyond Slavery," 494.

Donations

As we have seen thus far, there were different ways of slave agency during enslavement or the process of manumission. But what about slave agency after enslavement? As mentioned above, manumission did not mean the end of the relationship between slaves and their former masters. Slaves could receive donations from their former masters after being manumitted to a greater or lesser extent. A woman by the name of Hatice bt. Nasûh living in Üsküdar donated to her former female slave called Kamer bt. Abdullah her two-story house including a well, a shed, and a latrine, as seen in an entry about donation (*hibe*).[84] Other entries show that the kind and amount of donation varied just like the donation of Habibe Hatun, a woman from Alanya who died in Cihangir in 1598. Before dying, she gave some of her belongings to her freed slaves and distributed part of her money to her female slaves. The document shows she gave Kamer 2,000 *akçe*, whereas Peymâne, Hatice, and Belkıs each received 1,000 *akçe*. The remaining 60,000 *akçe* Habibe Hatun gave to her granddaughter Fâtima.[85] Slaves could also be donated, as in the case of Gülruh bt. Abdullah—presumably a former slave herself—who after having manumitted her female slave Eğlence bt. Abdullah donated to her besides numerous objects and valuables like several blankets, hundreds of cushions, various carpets, gold, jewelry, a silver belt, and caftans, a female slave of Russian origin called Nevrûz bt. Abdullah.[86] The question that arises here is what determined the kind and amount of donation a former master made to a former slave?

It is noteworthy that most of the masters found in the records giving donations to their former slaves are women and the slaves receiving a donation are mostly female slaves as well. There are differences between donations to slaves of various households, as well as differences between donations to slaves of the same household. The unequal size or amount of donations probably depended on diverse factors, like the time of enslavement and duties of a slave, but one can assume that the relationship between the slave and the master was also of great importance in that regard. Especially the last example concerning the slave Eğlence bt. Abdullah is also interesting for the analysis of the integration of former slaves into Ottoman society, just like the above-mentioned female slave Meleksima bt. Abdullah. If we assume that Meleksima bt. Abdullah was not

84 *Üsküdar Mahkemesi* 84 [48a–5]. On the issue of donation in Ottoman society as intergenerational capital transfer, see Zeynep Dörtok Abacı, "'Hibe' as an Instrument of Transgeneration Commodity Transfer in the Ottoman Society," *U.Ü. Fen-Edebiyat Fakültesi Sosyal Bilimer Dergisi* 17 (2009): 413–28.

85 *Galata Mahkemesi* 20 [65b–2].

86 *İstanbul Mahkemesi* 3 [77a–1].

exclusively, but primarily a typical name for a slave or former slave,[87] in other entries of the court registers we can see that women named like that could become slave holders themselves after being manumitted. One entry shows that a woman—probably a former slave since she is named Meleksima bt. Abdullah—went to court to claim her husband Ali b. Ibrahim, who had divorced her without paying back her bridal gift, a sum of 400 *akçe*. The court decided that Ali b. Ibrahim had to hand over the money to his former wife.[88] If Meleksima really was a former slave, this entry would not only indicate slave agency, but also the integration of former slaves into Ottoman society.

Proof of Nonslave Status

We see (former) slaves using the court as plaintiffs as mentioned above to prove that they were no longer slaves. Besides former slaves, there are also incidents of freeborn persons who had to provide evidence of their free status. In the Istanbul court registers, one entry concerns Timurhan bt. Abdullah, a female slave of Ukrainian origin, who claims that her former mistress had emancipated her according to the *tedbîr* type of manumission, meaning her enslavement was supposed to end with the death of Sâbiha Hâtun bt. Iskender, her former mistress. Yet the heiress of Sâbiha Hâtun bt. Iskender, her niece Âişe Hâtun bt. Mehmed (Sâbiha Hâtun had no own children of her own), did not accept Timurhan bt. Abdullah's manumission. The latter consequently sued Âişe Hâtun bt. Mehmed. "When Sâbiha Hâtun was alive," Timurhan bt. Abdullah explains, "she promised me manumission through an absolute arrangement (*tedbîr-i mutlak*) while I was her slave and conditioned my emancipation on her death. … Now that I am a free person as other freeborn are," she proceeds, "the aforesaid Âişe unjustly seized me as a part of the estate of the above-mentioned deceased in order to be enslaved." At the end of the judgment, Timurhan bt. Abdullah's emancipation is ascertained. As we can see here, (former) slaves were able to go to court to protect their rights. Although like in other documents of the court records the phrases are standardized, it is striking that, while explaining this issue, the first person narrative is used in the records. This kind of writing gives voice to those deemed "voiceless" and can be counted as a significant evidence of

87 The patronymic "ibn Abdullah" or "bint Abdullah" shows that someone was very likely a "first-generation Muslim," since it marks the status as a convert to Islam and could therefore also signify a (former) slave status. See Suraiya Faroqhi, "From the Slave Market to Arafat: Biographies of Bursa Women in the Late Fifteenth Century," *The Turkish Studies Association Bulletin* 24 (2000): 10. For more information on the names of slaves, see also Sobers-Khan, *Slaves Without Shackles*, 225–27.

88 *İstanbul Mahkemesi* 12 [82a–5].

slave agency, since Timurhan acted not only toward other people but also used the possibilities given by the court in order to assert her rights. Thus, slave agency was related not only to the agency of other people but also to institutions. That slaves could assert their rights as a plaintiff indicates that slave interagency was accepted and supported by the legal system.

Conclusion

The various cases of the Istanbul court registers introduced above can be useful documents regarding the analysis of slave interagency, since the decision to attempt to escape or to join with others in order to escape, on the one hand, or to contribute to be manumitted by gathering money or fulfilling a certain timeframe as a slave or to appear in front of the kadi to assert rights, on the other hand, provided the slaves with different forms of interagency. The cases presented here are examples that demonstrate the possible nature of slave interagency.

What we have learned from the information received from these kinds of documents is this: First, slave interagency existed since slaves had some, albeit limited, opportunities or rights of codetermination. Second, the aims and consequences of slave interagency in the sources described are related to the process of emancipation or the time after enslavement. Third, there are different types or degrees of slave interagency depending on the circumstances and the people involved in the legal case. Fourth, slave interagency is decisively determined by or strongly tied to the slave owner.

Most of the entries recorded in the court registers deal with cases concerning the relationship between master and slave. Slaves actively shaped the relationship to their masters, had an impact on the decisions they made, and influenced processes like manumissions and donations. Different kinds of manumissions acquired or implied different kinds of slave interagency. Since contracts represented agreements between two or more parties, *mükâtabe* contracts implicated agency on both sides, while each party required rights and duties. The different conditions of the *mükâtabe* again demanded different forms of slave interagency. The *mükâtabe* contract based on an amount of money required the fulfillment of other conditions than that based on a particular time period. As we have seen above, the money-based contracts gave room to a higher degree of slave agency than the *mükâtabe* based on time. Besides these forms of slave agency, we can also differentiate between individual and collective agency. Although we cannot reconstruct the reasons for collective agency recorded in the court registers, we may assume that slaves joined together in order to act more powerfully or to

pursue common aims. The court records also allow a further analysis of aspects concerning the reasons and circumstances of this collective agency.

This all shows that slaves, although considered properties who had no capacity to rights, did have the capacity to act, and that the clear determination of the legal status pales in light of the terms of the de facto status of slaves. Since no formalities were attached to manumissions or other types of transactions, slaves played an important role in shaping the relationship to their masters or mistresses by interagency and by determining or influencing the conditions of manumission and other cases.

All in all, slave interagency generally means the choice to act (or to refuse to act) interactively and interdependently within a certain framework, defined by circumstances that depend on different social, economic, and legal aspects. The clear distinction between categories like free and unfree or slave and nonslave seems to be more nuanced than actually regulated by legal terms. When conceptualizing slave interagency, we must always take the de jure status of slaves into consideration in relation to their de facto status.

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Slavery in 17th-Century Ottoman Jerusalem in light of Several Sharia Court Records

Slavery is an ancient phenomenon. In the *Oeconomic*a, a work ascribed to Aristotle but written several decades after him, we read:

> Of possessions, that which is the best and the worthiest subject of economics comes first and is most essential, I mean, man. It is necessary therefore first to provide oneself with good slaves. Now slaves are of two kinds, the overseer and the worker.[1]

This pseudo-Aristotelian wisdom was not unfamiliar to Middle-Islamic period audiences.[2] The Arabic version of *tadbīr al-manzil*[3] provides guide lines that score a dividing mark (*ẓirr*) between the management of private houses (*al-siyāsa al-manziliyya*) and the public sphere (*al-siyāsa al-madaniyya*). Its anonymous compiler(s) argues that three basic amenities (*hājāt*) are required in order to run efficiently a private dwelling: a wife, a beast and a cultivator. A slave (*qunyat al-ʿabīd*), who will serve in domestic and exterior work is the fourth essential object that one needs to maintain a household resourcefully, according to this adviser.[4]

The structure of Ottoman societies and their division of labour followed these guide lines. Female and male slavery was an integral element of the Ottoman household and contemporaneous social imagination could not visualize an urban civic construction that was short of such serving people. As a matter of fact, the subject of slavery in Ottoman history is so pervasive that one cannot ap-

1 E. S. Forster, trans., *ps.-Aristotle Oeconomica* (Oxford, 1920), 1344a (ll. 22–25).

2 *Risalat fī tadbīr al-manzil li-aristo al-faylasuf* ed. Maʿlūf, 381, 383; Hans Daiber, ed., *Bibliography of Islamic Philosophy: Alphabetical List of Publications*, vol. 1 (Leiden: Brill, 1999), 75 (785); Hans Daiber "Political Philosophy," in *History of Islamic Philosophy*, ed. Seyyed Hossein Nasr and Oliver Leaman, vol. 1, 1479–1578 (London: Routledge, 1995). Jews writing in Hebrew (Baruch and David ibn Yaʿīsh) were also familiar with this book; Gad Freudenthal, *Science in Medieval Jewish Cultures* (Cambridge: Cambridge University Press, 2011), 66 (505).

3 On this concept, see Fatih Ermiş, *A History of Ottoman Economic Thought: Developments Before the Nineteenth Century* (London: Routledge, 2014), 81–88.

4 See G. M. Wickens, trans., *The Nasirean Ethics by Nasir ad-Din Tusi* (London: George Allen & Unwin, 1964), 181–84; More on slavery in medieval Islam in Craig Perry, "Locating Slavery in Middle Eastern and Islamic History: Historicizing Slavery in the Medieval Islamic World," *IJMES* 49 (2017): 133–38.

preciate fully the social, economic, or political dimensions of the Ottoman societies without referring to it. No wonder that the study of social and political dependency has attracted the attention of a considerable number of present-day historians of the Ottomans.[5] Indeed, our working hypothesis is based upon the assumption that slavery in 17th-century Ottoman Jerusalem correlates largely with the picture that these fine scholars paint.

The present study demonstrates that the Sharia court (*maḥkama; majlis al-shar*ʿ)[6] records from those years cast light on slavery in a small urban center and on legal and social urban realities that shaped the destiny of bounded men and women.[7] Hence it is not a contribution to "history from below" or to the scholarly debate on the "collective amnesia" regarding slavery in the Ottoman Empire. However, since the *sijill* records preserve information on the way people acted, these documents are a potential source of the history of emotion. But before presenting our documented court cases let us first turn to definitions of slavery.[8]

Slavery

Legal texts composed by Muslims (Sharia manuals or Sharia court records) employ sets of categorizations. The best-known among these bipolar categories are, perhaps: Muslim versus non-Muslims, male versus female, and under-age versus adult. A visible component of this binary legal and social standpoint is the social antinomy: slave and master (*Dominica Potestas* in the Roman law),[9] free versus enslaved (*ḥurr/aḥrār <versus>* ʿ*abd/abīd/qinn/raqīq*).[10] Yet these relations

5 For updated survey and bibliography see Ehud R. Toledano "Enslavement in the Ottoman Empire in the Early Modern Period," in *The Cambridge World History of Slavery,* vol. 3: AD1420–AD1804, ed. David Eltis and Stanley L. Engerman (Cambridge University Press, 2011), 25–46.

6 On these courts see Boğaç A. Ergene, *Local Court, Provincial Society and Justice in the Ottoman Empire: Legal Practice and Dispute Resolution in Çankırı and Kastamonu (1652–1744)* (Leiden: Brill, 2003), 24–31, 99–124.

7 For the contribution of these records to the study of the slave trade and their integration into the local society see Trence Walz, "Black Slavery in Egypt During the Nineteenth Century As Reflected in the Mahkama Archies of Cairo," in *Slave and Slavery in Muslim Africa,* vol. 2: The Servile Estate, ed. John Ralph Willis (London: Frank Cass, 1985), 137, 140–42, 146.

8 Suzanne Miers, "Slavery: A Question of Definition," *Slavery and Abolition* 24 (2003): 1–16.

9 A. D. E. Lewis, D. J. Ibbetson, eds., *The Roman Law Tradition* (Cambridge: Cambridge University Press, 1994), 141.

10 ʿAlī b. ʿAṭīyyah b. al-Ḥasan al-Hitī al-Shafiʿī [ʿAlwān al-Ḥamawī] (873–936/1469–1529), *al-Naṣāʾiḥ al-muhimmah lil-mulūk wal-aʾimmah* ed. Nashwah al-ʿAlwānī (Damascus: Dar al-Maktabi, 1420/2000), 126; on this in European languages, see M. I. Finley, "Between Slavery and Freedom," *Comparative Studies in Society and History* 6/3 (1964): 233–49; Émile Benveniste, *Dictionary of Indo-European Concepts and Society* (Chicago: Hau Books, 2016), 261,

cannot be depicted as simple hierarchical ones. Instead of a bipolar imagined social category we can classify a spectrum of dependencies, from an agreed bondage to a limited period (*paramone*) up to chattel slaves.[11] Yet it should be emphasized that the interpretation of ancient regulations changes with the passage of time. Diversity in local social and political conditions also contributed to modified interpretation of the written and transmitted principles.[12]

Since the 1980s, historians and anthropologists, as well as scholars of other academic disciplines, have paid attention to the definitions of slavery. They have pointed out the multiple dimensions and diversities that this institution acquires in chancing social, political and cultural conditions, let alone history.[13] In the scholarly literature it is widely agreed that slavery, as a complex social institution, has no identical characteristic in all societies. Practice varied with local circumstances and diverse interpretations of Islamic law. Nevertheless, one feature is shared by all, namely some hierarchical relationship involving a strong powerful person opposite a weak one, the two bonded by relations of coercion and dependency. Hence, it seems useful to provide a condensed introductory account of two points: slavery and manumission in Ottoman-Islamic legal discourse, and the historical sources which are at our disposal while investigating these themes.

Domestic Slavery

Domestic slavery constituted a major social element in the land governed by the empire. The prevailing Islamic law (*sharīʿa*) and Ottoman law[14] reflected the vital importance of bounded manpower to the urban economy and their salient po-

289–90; Claude Meillassoux, *The Anthropology of Slavery: The Womb of Iron and Gold* (Chicago: University of Chicago Press 1991), 23–24.

11 Michael Winter, *Egyptian Society Under Ottoman Rule 1517–1798* (London: Routledge, 1992), 67; for more general views on this topic, see Paul E. Lovejoy and David Richardson, "The Business of Slaving: Pawnship in Western Africa, C. 1600–1810," *Journal of African History* 42 (2001): 67–69; and the recent collection Gwyn Campbell, and Alessandro Stanziani, eds., *Debt and Slavery in the Mediterranean and Atlantic Worlds* (London: Pickering & Chatto, 2013).

12 See Ahmad Alawad Sikainga, "Slavery and Muslim Jurisprudence in Morocco," *Slavery and Abolition* 19 (1998): 60–62.

13 For the bibliography and research development, see Michael Zeuske, "Historiography and Research Problems of Slavery and the Slave Trade in a Global-Historical Perspective," *IRSH* 57 (2012): 87–111.

14 On the relationship between these two legal systems see Ruth A. Miller, "The Legal History of the Ottoman Empire," *History Compass* 6 (2008): 288–89. This discourse is related also to Ottoman writings regarding the Sultanate's legitimacy, basing their cause on the rule of the sultan in imposing the law of Islam. See Luṭfī Bāshā, *Khalāṣ al-ummah fī maʿrifat al-aʾimmah*, ed. Mājidah Makhlūf (Dār al-Āfāq al-ʿArabīyah, 2001); Hamilton A. R. Gibb, "Luṭfī Paşa on the Ottoman Caliphate," *Oriens* (1962): 287–95; Hüseyin Yılmaz, *Caliphate Redefined: The Mystical Turn in Ottoman Political Thought* (Princeton University Press, 2018), 80–89.

sition in non-rural societies. The slave, both men and women, originated from lands beyond the Ottomans' borders and converted to Islam by Muslims.[15] The documents attest to this fact by mentioning the slave's/maid's land of origin and by using the ejective b. (the son of or the daughter of) ʿAbd Allah (the servant of God). The taxation of cross borders trade (*pencik*) establishes that, from a longstanding administrative point of view, slavery was an accepted and legally approved institution.[16]

It should be highlighted here that domestic slavery is the only form of servitude in 17th-century Ottoman Jerusalem.[17] The slaves, both men and women,[18] were acquired by purchasers and forced to complete labour duties.[19] Yet, despite this proprietorial dimension of lord-slave relations, I shall demonstrate that chattel slaves, men and women, are presented as active players. Several court cases attest that they acquired a certain degree of self-directed power (agency) over their fate. By advancing this argument we contest Foucault's statement that: "slavery is not a power relationship when man is in chains. Power is exercised only over free subjects, and only insofar as they are free".

Qurʾān (words of God) and *Ḥadīth* (words of the Prophet) encourage Muslims to treat their slaves well. Manumission (*ʿitq*) was seen as the ultimate realisation of this tenet. And, indeed, this line in the Islamic holy law (*fiqh*) was widely practised.[20] Commercial reports[21] and court documents attest to the routine

15 For a contemporary Maliki (North-African) legal approval of the African slave trade see Bernard Barbour and Michelle Jacobs, "The Miʿraj: A Legal Treatise on Slavery by Ahmad Baba," in *Slave and Slavery in Muslim Africa,* vol. 2: The Servile Estate, ed. John Ralph Willis (London: Frank Cass, 1985), 136; Aḥmad Bābā b. Aḥmad al-Tinbuktī (1556–1627), *Miʿrāj al-ṣuʿūd: ajwibat Aḥmad Bābā ḥawla al-istirqāq*, ed. Fātimah al-Ḥarrāq and Jūn Hānwīk [John Hunwick] (Rabat: Manshūrāt Maʿhad al-Dirāsāt al-Afrīqīyah, 2000), 68.

16 Y. Hakan Erdem, *Slavery in the Ottoman Empire and its Demise, 1800–1909* (London, Macmillan Press Ltd, 1996), 18–20.

17 The history of land tenure, servile labor and the legal status of the villagers are beyond the boundaries of the current study. There are multiple reasons to conclude that sharecroppers' freedom of movement was restricted. Sabrina Joseph, *Islamic Law on Peasant Usufruct in Ottoman Syria 17th to Early 19th Century* (Leiden: Brill, 2012), 98; Konstantinos Moustakas, "Slave Labour in the Early Ottoman Rural Economy: Regional Variations in the Balkans during the 15th Century," in *Frontiers of the Ottoman Imagination: Studies in Honour of Rhoads Murphey*, ed. Marios Hadjianastasis (Leiden: Brill, 2014), 29–31.

18 We do not possess enough data for a gender based statistical survey. Data from Africa suggests that in this continent slaved-women outnumbered men. Ahmad A. Sikainga, "Shariʿa Courts and the Manumission of Female Slaves in the Sudan, 1898–1939," *The International Journal of African Historical Studies* 28 (1995): 2–3.

19 Cases of slaves owned by several patrons and the Marxist interpretation of slave-owner relations.

20 Erdem, *Slavery in the Ottoman Empire,* 154.

21 Eric R. Dursteler, *Venetians in Constantinople Nation, Identity, and Coexistence in the Early Modern Mediterranean* (Baltimore: The Johns Hopkins University Press, 2006), 73; Charles L.

execution of this praxis. No doubt that hopes of emancipation shaped the dynamic of relationship between patrons and their clients. The manumitter and his ex-slave, now a freed person, were to remain in a relationship of patronage (*walāʾ*).[22]

The study of Ottoman urban society—including slavery—is based primarily, since the 1970s, on judicial records (*sijill* in Arabic; *sicil* in Republican Turkish).[23] A general overview of Ottoman kadi (*qāḍī*, *kadı*) court studies is beyond the limits of this article.[24] It should be accomplished by an expert in the field. Here it is sufficient to limit ourselves to few descriptive words on the nature of the historical documentation that this court has produced (*majlis al-sharʿ* or *meclis-i şerʿ*). The data provided by the *sijill* reflect the reality of location and date.[25]

Slaves and their Agencies in the Kadi Court Records

It is well-established that the kadi court records deal with individual cases. The judges made their decisions on the basis of statements, testimonies and documents. During the legal process they practically addressed isolated circumstances. Formally, their court followed Islamic legal theory (*fiqh*). They summarised, analysed the evidence presented and wrote their decisions in a manner that presented the superiority of the sharīʿa. Summarizing the proceedings, the clerk refrained from mentioning juridical handbooks or precedents. Yet, although using a legal language that attempted to dress their verdicts with "the eternal Islamic way of conduct," judges' modus operandi reflected combined influences. We might call their mixed decision-making the Ottoman way of justice. This was also the case in the court in 17th-century Jerusalem.

The kadi ledgers recorded appeals by slaves and by slaves' owners who came to the court presenting a legal demand or refuting an appeal. These court records

Wilkins, "Slavery and Household Formation in Ottoman Aleppo, 1640–1700,"*JESHO* 56 (2013): 367–68.

22 Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire: The Design of Difference* (New York: Cambridge University Press, 2010), 123–25.

23 Articles by Mandaville, Abdul-Karim Rafeq, Ronald C. Jennings and other who started publishing during the 1970s can be identified as the embryonic stage of kadi records' studies. For an initial evaluation of this field see Dror Ze'evi, "The Use of Ottoman Sharīʿa Court Records as a Source for Middle Eastern Social History: A Reappraisal," *Islamic Law and Society* 5 (1998): 35–56 and Suraiya Faroqhi, *Approaching Ottoman History: An Introduction to the Sources* (Cambridge: Cambridge University Press, 2003), 55–57.

24 Ronald C. Jennings, "Kadi, Court, and Legal Procedure in 17th C. Ottoman Kayseri: The Kadi and the Legal System," *Studia Islamica* 48 (1978): 133–48.

25 The prime studies of the Jerusalem court were executed by Amnon Cohen. For a bibliography of his writings, see Eyal Ginio and Elie Podeh, eds., *The Ottoman Middle East: Studies in Honor of Amnon Cohen* (Leiden: Brill, 2014), 239–45.

illuminate communities and households. They cast light on social and political stratification and tell of communication between masters and slaves. These documents reveal ethnicity and geographical origins of slaves and slave girls. The court records also cast light on names and health topics that will not be elaborated here. They attest that despite the peripheral position of the city, slaves were not strange to 17th-century Jerusalem. The court preserved the audiences' memory. It did not aim at narrating (hi)stories. So we do not possess documentation that narrates a complete story but have rather isolated appeals or decisions. Yet it is not rare to stumble upon records of separate sessions that were read together provide a nearly complete cycle of events.

It nevertheless should be said that in the *sijill* records I have inspected there are no words on the conditions that the slaves were exposed to. I did not find any case similar to the Madras trial, which resulted from the discovery in a shallow grave on the ocean shore of a disposed corpse. Police inquiry identified it as the body of an aging "moor" slave-woman who was beaten to death by her patrician mistress (*begum*).[26]

Based upon the *sijill* documentation it is sound to deduce that the kadis counted the slaves as chattels, a commodity to be bought and sold in the markets.[27] Demands to reframe a selling/buying contract epitomize this historical reality and support my interpretation of Ottoman slavery in 17th-century Bilād al-Shām. A case in point is a plea by Ḥājj ʿAlī b. ʿAbd Allah al-Maghribī (the North African). He told the judge ʿĀlim Efendī that three months earlier Ḥājj Sulayman b. ʿAbd Allah al-Maghribī sold him a slave girl named ʿĀʾisha. After a while he discovered that this maid was ill. Symptoms of scalp favus (*dāʾ al-qarʿ*) were discovered on her head. Therefore, he called at the court and pleaded his case, expecting that the judge would declare the sale invalid.

In a second case, al-Sheikh Isḥāq, the Shafiite Mufti, demanded the cancelation of a purchasing deal. In his appeal the sheikh said that earlier he had bought from Muḥammad al-Mihtarī, the coffee-shop owner (*maqhawī*), a white slave girl named Yasmin. He had paid to the seller 80 Ottoman silver coins and collected the maid. Yet after the transaction he learned that the maid was infected with *dāʾ al-Asad* (λεοντίασις).[28] Due to this finding, he argues, the deal should be annulled.

26 Sylvia Vatuk, "Bharattee's Death: Domestic Slave-Women in Nineteenth-Century Madras," in *Slavery & South Asian History*, ed. Indrani Chatterjee and Richard M. Eaton (Bloomington: Indiana University Press, 2006), 210–33.

27 Documents related to slaves' brokers offer information on this trade. Maḥmūd ʿAlī Aṭaʾ Allah, *Wathāʾiq al-ṭawāʾif al-ḥirafiyya fī al-quds fī al-qarn al-sābiʿ ʿashr* (Nāblūs, 1992); Amnon Cohen, *The Guilds of Ottoman Jerusalem* (Leiden: Brill, 2001), 13, 32.

28 Yet, based on the description and the fact that the abscesses spread from the head to private parts I assume that she was not infected by *Leontiasis* Ossea, but rather by leprosy (*waḍakh*) or some other skin disease. Manfred Ullmann, *Aufsätze zur arabischen Rezeption der griechischen Medizin und Naturwissenschaf* (Berlin: Walter de Gruyter, 2016), 204.

He holds the right to return the maid to the seller. Hence, he asked the defendant to return to the court. The judge in Jerusalem sanctified this decision and letters were sent to Nablus, where the seller was staying. Yet despite the official summoning Muḥammad al-Mihtarī refused to attend. So, the plaintiff asked the magistrate to hear his appeal and to judge in accordance with the principles of the Shafiite School of law. The court demanded the plaintiff provide supporting evidence. To validate his appeal he called to the hall two surgeons, Yūnus and his son Ibrāhīm. They attested at the court that symptoms of *dāʾ al-Asad* were visible on Yasmin's left hand, face and forehead. A woman attested that she perceived on Yasmin's privet parts similar symptoms.

Several cases that were briefly recorded by the court's clerks reveal that in certain circumstances women of lower social status, including manumitted slave girls, could gain some leverage. One such circumstance is illuminated in the following record:

> At the court of Abū al-Barakāt Muḥammad Sharaf al-Dīn Efendi al-Khālidī.[29] This record was written because Isḥāq al-Wafāʾī al-Ḥusaynī applied to the judge and asked him to issue a warrant to block Murjāna,[30] the slave girl (*jāriya*) that was manumitted by the wife of the Sheikh Muḥammad b. Yaḥya. She should be prevented from entering his house or dwelling with him in it (1068/1657).

Indeed, some may argue that the manumitted black Murjāna (certainly not her original name) should not be considered as a bounded woman, Yet, I assume that although freed (*ḥurra*) she still carried the heavy burden of her past. Addressing the court, the claimant did not fail to mention it. He calls her the manumitted slave girl and does not use designations regularly employed when referring to a free born woman, certainly those who belonged to aristocratic households. Emancipation did not put an end to the liberated-slave dependency. Despite the language used by the manumission certificate, she was not fully integrated into the Muslim community. Yet despite Murjāna's limited incorporation into the local urban society we can use her court case, together with other documents I have analysed, as supporting evidence to disapprove Patterson's paradigm,[31] which will be addressed further below.

The social history of slave life continued to be affected by issues of authority, power and agency. The definition I adopt of this latter term:

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29 See Yusuf Said al-Natsheh, "Un-inventing the Bab al-Khalil tombs: Between the magic of legend and historical fact", Jerusalem Quarterly 22 (2005): 76.

30 The reading Murjāna is in line with the vocalization that is clearly visible in the document. Dictionaries suggest also the reading Marjān.

31 See Chouki El Hamel, "Surviving Slavery: Sexuality and Female Agency in Late Nineteenth and Early Twentieth Century Morocco," *Historical Reflections / Réflexions Historiques* 34 (2008): 74, 79; Michelle A. Mckinley, *Fractional Freedoms: Slavery, Intimacy, and Legal Mobilization in Colonial Lima* (New York: Cambridge University Press, 2016), 6.

> "… [A]gency is the temporally constructed engagement by actors of different structural environments—the temporal-relational contexts of action—which, through the interplay of habit, imagination, and judgment, both reproduces and transforms those structures in interactive response to the problems posed by changing historical situation."[32]

The court case when a man turned to the judge hoping to obtain a verdict that would block a slave girl from entering his house illuminates this social and legal reality. It is not clear why he applied but it is salient that he was unhappy with the slave girl's behaviour. On the other hand, we learn from this short document that she was powerful enough to cause him inconvenience.

Conclusion

Based upon the definition of slavery that I advocated in the first part of this study I would like to highlight here that slave girls voiced their position. At the court halls they contested with men and women who from the outset seem to have enjoyed social capital. *ʿItq* was stated to follow the ideal set forth by the prophet Muhammad. This model loomed over the believers. In a society that disbarred adoption it served as a mode of incorporation of fresh blood into a household. By establishing loyalty and imaginative kingship, this was considered a major tool of reproduction. Given that manumission paved the way to integration into kinship (*walāʾ; umm walad*),[33] no wonder that slaves contested with their owners at the court and demanded their freedom.[34]

Slaves, and predominantly slave girls, were not malleable material. The case of female concubinage (*umm walad*), particularly, helped them in obtaining the keys to the narrow path that would lead to manumission. Certainly, it ensured the freedom of these women's sons and daughters. These women developed unique relations with their masters and exceptional bonds were established between them. The line in the manumission certificates (*mukātaba*) that refers to *al-walāʾ al-sharʿī* clearly illuminates these peculiar ties.[35] Appeals to secure manumission provide several examples to support this argument. The legal terms slave and slavery, used by the court's crew, did not reflect social death, as assumed by Orlando Patterson. Indeed, these documents reflect, no doubt, special rela-

32 Mustafa Emirbayer and Ann Mische, "What Is Agency?" *The American Journal of Sociology* 103 (1998): 970.

33 Cristina de la Puente, "Free Fathers, Slave Mothers and Their Children: A Contribution to the Study of Family Structures in al-Andalus," *Imago TemporIs. medIum aevum* 7 (2013): 34.

34 Several additional *ʿitq* documents support this conclusion.

35 See Mckinley, *Fractional Freedoms*, 168.

tionship of domination. Slaves were objects of property owned by a lord who purchased them and sold or manumitted them.[36]

A case in the point is the fate of the black slave girl named Saʿīda (blissful). She was bought by Ṣalāḥ al-Dīn, the son of the late ʿ th al-Khasibī al-Samādī, for his disabled cousin, Fakhr al-Islām, the son of the late Maḥmūd. Yet several weeks later both returned to the kadi's court. It turned out that this slave girl had failed to execute her lady's orders and the latter claimed that the maid was not fit to serve as a domestic. Moreover, she had fled from her owners' house. For three days she kept hidden. No one knew about her. The documents produced by the court during the vending and reselling of Saʿīda provide indirectly the subaltern voice. She was capable of resisting her crippled young patron. Yet it is not clear if she was in a position to negotiate her fate.

Historians of slavery in the western hemisphere and political theoreticians who juxtapose freedom and bondage in an endeavour to outline social and power relations argue that marronage and uprising are visible expressions of slaves' agency, but this is not the situation that the court records from 17th-century Jerusalem reflect.[37] Slaves could gain their manumission without resorting to violence. Yet slaves' appearance before the kadi demanding their claimed manumission, or slave girls who demonstrated resistance to their patrons' demands, illuminate evidently that liberty (*ḥurr*) is not the only potential antithesis of slavery (*riqq; ʿubudiyya*). From the documents inspected here we can work out that emancipation often ended in transformation to a liminal position. The liberated client still maintained a pattern of dependency and was committed (*al-walāʾ al-sharʿī*) to his previous patron.

Indeed, in all the cases surveyed, the slave is a subjected entity and is an article in his master's property. Bounded, he is an expendable organ of a society that purchased him. Yet the complexity of his relations with the patron is clearly stated in cases of cancelation of trading deals, as well as between the lines of manumission certificates (*ʿitq nāmeh*). These court records define the slave's new position as a full member of the Muslim congregation. His legal position is transformed from a surplus element outside the communal boundaries to an integral component. Yet he still retains a version of patron-client communication (*walāʾ*). If we agree to accept literally a common popular interpretation of a tradition (*ḥadīth*) about the Ethiopian slave and the caliphate, he even can be

36 See David M. Lewis, "Orlando Patterson, Property, and Ancient Slavery: The Definitional Problem Revisited," in *On Human Bondage After Slavery and Social Death*, ed. John Bodel and Walter Scheidel (Oxford: Wiley-Blackwell, 2017), 31–33, 39–40.

37 Although one should say the fleeing was not unknown in the Middle East, as we can deduce from a memorandum composed by A. Ryan, a British political agent who wrote a survey of slaves who sought shelter in the British consulate in Jeddah. Benjamin Reilly, *Slavery, Agriculture, and Malaria in the Arabian Peninsula* (Ohio: Ohio University Press, 2015).

selected as the leader of the community.[38] It would not be misleading to refer here to Ibn Khaldun,[39] who equates the union and harmony that result from direct relationship between persons (*wala*) to the close contact and unity that blood ties create.

This brings me to a second conclusion. In a previous work I challenged Orlando Patterson's theory of slavery and social death.[40] Although uprooted and replanted in an alien environment, slaves were not dead souls. They retained some power to protest and to negotiate, despite being property that had been bought in the slave market. I believe that the sharia court documents that serve as the backbone of my present project intensify my argument and support the case against Patterson's theory, at least in the context of slaves in the service of households in the pre-modern Islamicate world.

The court documents that I have investigated provide a tool to gain a closer view of the division of labour and insights about power and gender relations. They tell us that the urban centres of the Ottoman Empire relied on dependent labour, or at least a considerable number of bounded people were vital to set in motion the economy and to maintain towns' households. Yet this did not annihilate the engagement of free (ḥurr; liberos viros of the Roman law) men and women in the production of goods.

38 On this tradition see Patricia Crone, "'Even an Ethiopian Slave': The Transformation of a Sunni Tradition," *Bulletin of the School of Oriental and African Studies* 57 (1994): 59–67.

39 Ibn Khaldun, *al-Muqaddima*, ed. Zakkar (Beirut: Dar al-Fikr, 2001), 161; Franz Rosenthal, trans., *The Muqaddimah*, vol. I (Princeton: Princeton University Press, 1967), 264.

40 Yehoshua Frenkel, "Some Notes Concerning the Trade and Education of Slave-Soldiers During the Mamluk Era," in *Slavery and the Slave Trade in the Eastern Mediterranean 11th–15th Centuries*, ed. Christoph Cluse and Reuven Amitai (Turnhout: Brepols, 2018), 187–212.

Appendix 1

Court Records Regarding Slaves in Ottoman Jerusalem

(English translation arranged according to *Sijill* numbers)

A White Slave Girl (*jāriya*) Infected With *Scalp Favus*[41]

At the noble court, the seat of observed tradition (*al-muḥarrar al-marʿī*) at the tribunal headed by our master, the model of magistrates, the élite of the scholars who are blessed with high intellect, the judge who implements the Sacred Law, our leader ʿĀlim Efendi, whose honorable handwriting on the upper part of an identical copy [authenticates that document], God prolong his high ranking position.[42]

The Ḥājj ʿAlī b. ʿAbd Allah al-Maghribī (the North African), the beardless mature man, charged the Ḥājj Sulayman b. ʿAbd Allah al-Maghribī, who is presented at the court. He claimed in his plea that he had bought from the defendant a white slave girl named ʿ who, whose price was 140 Ottoman silver coins (*ghurush/kuruş*).[43] And that he paid the sum, including a delayed payment, which was collected by the defendant. This transaction took place three months or so ago, yet he recently discovered that the maid is ill. On her head are symptoms of scalp favus (*dāʾ al-qarʿ*).[44] To conceal this she drew her hair and shrouded the infection. This is a profound defect and the return of the merchandise is a must. Hence Ḥājj ʿAlī demands the court's permission to give back the maid [and to obtain his payment]. Ḥājj Sulayman responded by saying that indeed he sold the above mentioned slave girl and that he collected the above mentioned price for her, short of seven Ottoman silver coins. The respondent added that he had not noticed infection marks on the girl's head. The deliberation and accusation continued for a while, before a group of negotiators arbitrated a settlement and restored harmony between the adversaries. The parties reached an agreement. Accordingly, the respondent Ḥājj Sulayman will give up his de-

41 *Sijill*, 96: 91, case no. 2 (Muḥarram 1024/February 1615).

42 See Amnon Cohen, *The Guilds of Ottoman Jerusalem* (Leiden: Brill, 2001), 215.

43 Also *kurush* from German *groschen.* Şevket Pamuk, "In the Absence of Domestic Currency: Debased European Coinage in the Seventeenth Century Ottoman Empire," *The Journal of Economic History* 57 (1997): 360; Şevket Pamuk, "The Evolution of Financial Institutions in the Ottoman Empire, 1600–1914," *Financial History Review* 11 (2004): 14.

44 Are these the symptoms of the skin and ear infection that is named *Saʿfa* in modern Arabic? See Max Meyerhof, "The 'Book of Treasure,' an Early Arabic Treatise on Medicine," *Isis* 14 (1930): 62 (on an early medical guide attributed to Thabit ibn Qurra).

mand that the buyer Ḥājj ʿAlī will pay him the remaining debt of seven Ottoman silver coins. The buyer declared that in search for peace and legal concord he gives up his accusation against the vender and ceases from accusing him with intentional wrong doing, in addition he also admitted that prior to his discovery of the visible infection he had sex with the girl.

The case came to an end and was registered on the twentieth of Muharram 1024/19 February 1615. (Signatures of the clerk and witnesses).

Manumission of a White (Russian) Slave Girl[45]

At the noble court, the seat of observed tradition, at the tribunal headed, God exalt him, presided by our master, the model of magistrates and arbiters, the judge who implements the Sacred Law, our leader ʿĀlim Efendi, whose honorable handwriting on the upper part of an identical copy [authenticates that document], God prolong eternally his high ranking position.

In sound mind and according to the legal procedures Ḥasan b. Bahrm, from the *mutafarriqa* regiment of Egypt,[46] a tall man with a white beard, attested at the court that he accomplished the manumission of Qamr bint ʿAbd Allah, his white Russian slave girl. He is confident that she, the girl with black eyes, is undeniably his bounded slave girl. He accomplished this deed according to the prescription of the Holy law. He did so in hope of gaining God's rewards and intending to accomplish the Prophet's maxim: "Whoever frees the soul of a true believer (i. e. Muslim slave), Allah will save from the Fire of Hell all the parts of his body, as he has freed the body-parts of that slave. Freedom will be rewarded by relief."[47]

By completing this act of manumission, the above-mentioned Qamr is declared to be a free Muslim woman. She is entitled to all the benefits that free Muslims enjoy and will be subjected to all duties imposed upon them. No one has any authority over her and no one can order her, except the special relations between patron and client (*walāʾ*).[48]

45 *Sijill*, 96: 97.

46 P. M. Holt, "The Beylicate in Ottoman Egypt during the Seventeenth Century," *Bulletin of the School of Oriental and African Studies* 24 (1961): 223.

47 See Abu ʿAbd Allah Muḥammad b. Ismāʿīl al-Bukhārī (194–256/810–870), *al-Jāmiʿ al-ṣaḥīḥ*, ed. and transl., Muhammad M. Khan, vol. 3 (Beirut: Dar al-ʿArabiyya 1405/1985), 402 (book 49, Hadith 2517).

48 *Walāʾ al-ʿitāqa* or al-*niʿma*. See al-Sarakhsī, *al-Mabsūṭ*, vol. 30, 38; Augostino Cilardo, "The Transmission of the Patronate in Islamic Law," *Miscellanea Arabica et Islamica: Dissertationes in Academia Ultrajectina*, ed. F. De Jong (Louvain: Peters, 1993), 31–52; Ulrike Mitter, "Unconditional Manumission of Slaves in Early Islamic Law: A *hadlth* Analysis," *Der Islam* 78 (2001): 35–72.

This was executed at the court on the twenty-fifth of Muḥarram 1024 (24 February 1615) and authorized by our master the honorable judge who is named above and approved publicly by the witnesses named below.

Zakariya Efendi Bought a Slave (*raqīq*)[49]

This is an authentic legal deed (*ḥujja*)[50] written according to the approved regulations and a document composed in line with the authentic tradition, which transmits an account of a session that took place at the revered court of law—God will exalt this pure tribunal—in the Noble Jerusalem and reports on it.

Our master Zakariya Efendi, the pride of Islam's judges, the treasury of people's leaders, the archetype of the learned scholars, who in the past served as the judge of Sidon, God protect the city, the son of the late al-Nājī, the foremost of the teachers, the primary one of the honourable scholars, the son of the sheikh of the Believers—O God illuminate his grave—bought [a slave], with his private money and with no other partner, from Ḥijāzī, the pride of the peers, the son of ʿĪd the veterinary physician.[51] Ḥijāzī had sold him the mature Ethiopian slave, whom he owns and who is his private property. He possesses this beardless slave, who is well and sound. The vender knows the slave well and is certain that his legal status is of bondage and servitude. At the lower part of his body are marks of wounds and on his left hand are marks of wounds caused by fire. On the right side of his neck is visible a brand caused by a mallet.

Ḥijāzī had sold the slave in a definitive, unrevoked legal transaction, in a permissible binding deal, written, authorized and approved contract. He obtained the price of 30 Ottoman silver coins, each one of them divided into 30 Egyptian coins (pieces; *qiṭʿa miṣriyya*).[52] The vendor collected this sum of money from the hands of the buyer in a legal transaction that was executed willingly at the court of justice. By doing this the buyer is free from any doubt regarding the above mention price and from any other sort of obligation. The conclusion of the deal was made according to the law and the regulation of taking control of bought merchandizes and rightfully collecting them. The vendor lawfully disassociated

49 *Sijill*, 96: 99, case no. 2.

50 Iris Agmon, "Recording Procedures and Legal Culture in the Late Ottoman Shariʿa Court of Jaffa, 1865–1890," *Islamic Law and Society* 11 (2004): 345; Reem A. Meshal, *Sharia and the Making of the Modern Egyptian: Islamic Law and Custom in the Courts of Ottoman Cairo* (Cairo: AUC, 2014), 103–24.

51 On the *bayāṭira* guild in Ottoman Jerusalem see Cohen, *The Guilds of Ottoman Jerusalem*, 85.

52 Amnon Cohen, *Economic Life in Ottoman Jerusalem* (Cambridge: Cambridge University Press, 1989), 116; Şevket Pamuk, *A Monetary History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2000), 100.

from the good sold by him and the buyer collected it customarily. The handing over and the collection of the goods, and the separation of the parties was done in line with the requirements of the sharia.

The handling and collecting were legally accomplished and validated. They completed the transaction according to the laws of Islam, they did so voluntarily and with no coercion. They properly exchanged, giving and taking. Completing the examination of the merchandise, the identification and licit contract satisfactory, their ways separated. The realization of the deal according to the regulations of cancelation, consequences and responsibility made it a complete and binding commercial agreement.

This authorised document was approved by our master the honorable judge whose name is mentioned above. He legitimated it and declared it final and valid. It was written and sealed on the Twenty Fifth of Muḥarram 1024 (24 February 1615) and authenticated by the signing witnesses below.

The Buying of a Slave Girl[53]

At the noble court, the seat of observed tradition, at the tribunal headed, God exalt him, presided by our master, the model of magistrates, the finest of scholars, the core of the sound minded (jurists), the arbitrator who implements the Sacred Law, our leader al-Sheikh Isḥaq al-Kharīshī al-Ḥanbalī, whose honorable handwriting on the upper part of an identical copy [authenticates that document], God prolong eternally his high ranking position. And in the attendance of our master the Sheikh al-Islam, the epitome of the learned scholars, foremost of the honoured truth's pursuers, the revered Shafiite mufti our master the Sheikh Isḥaq the son of the late sheikh al-Islam and the guide of Muslims, O God forgive him.

Our master ʿUmar Sirāj al-Dīn b. Abī al-Luṭf addressed the court of justice and said that in the past, prior to the date of the current session, he bought a white slave girl from the man who is named Muḥammad al-Mihtarī the coffee-shop owner (*maqhawī*). He had paid to the seller 80 Ottoman silver coins to obtain this white salve-girl who is named Yasmin. He paid this sum to Muḥammad al-Mihtarī and took possession of that Yasmin. Yet after the transaction he notices that the maid is infected with Leonine facies (*dāʾ al-Asad*).[54] It occurred to him that she had got sick prior to the transaction, and due to this he claims that the deal should be annulled. Adding that he holds the right to return the maid to the

53 *Sijill*, 96: 225, case no. 2.

54 Löwengesicht; presumably leprosy. Michael W. Dols, "The Leper in Medieval Islamic Society," *Speculum* 58 (1983): 903.

seller. He carried on and said that currently the vendor is residing in Nablus and with an approval letter that a judge in Noble Jerusalem had written he summoned the seller to attend the court but he failed in doing so and abstained from the hearings.

Therefore, the plaintiff asks the magistrate to hear his appeal and, despite the abstention of the respondent, to resolve it. This practice is in accordance with the principles of the Shafiite school of law, that authorizes such procedure in the case that one of the parties is located far beyond the distance of one-day's travel to the court. Responding to this argumentation our master the magistrate Sheikh al-Islam demanded that the plaintiff support his case by evidence and to convince the court that the maid is indeed infected, as he claims. In accordance with their legal school practices this will make it possible to proceed with the judging process.

Responding to the court decision, ʿUmar Sirāj al-Dīn called to the court hall two surgeons, the doyen Yūnus b. Muḥammad the embellisher (*muzayyin*) and his son al-Ḥajj Ibrāhīm. They are both surgeons and physicians who operate in the Noble city of Jerusalem.[55] These two doctors attested and confirmed that Yasmin the daughter of ʿAbd Allah, who is presented at the courtyard and regarding whom they testify, carries the symptoms of *dāʾ al-Asad* and that the infection is visible on Yasmin's left hand, face and forehead. This is evidently not a new contagion. The prosecutor called, in addition to them, also a woman named Zaynab b. Muḥammad al-Hindī, a midwife from Jerusalem the Noble. Since only a woman can inspect the genitalia she attested outstandingly, and not according to the court's procedures. Zaynab confirmed that she perceived similar symptoms on Yasmin's private parts, adding in her testimony that it is an old infection that obliges the return of the girl to the vendor. She also stated that this would reduce the market-value of the maid.

The above named judge accepted these testimonies and was satisfied with the results of the enquiry (*tazkiya sharʿiyya*) by the above named judge. They were approved as valid proofs that support the litigation of the above named claimant. Hence they preferred to annul the previously agreed maid's purchasing contract. The petitioner preferred the cancelation of the contract and the judge approved it and issued his verdict. He decided that the above mentioned maid's purchasing contract is lawfully annulled. Due to the elaborated details the buyer will hand the slave girl back to the vendor and he will return the payment. This was a legal binding decision and according to the procedures of the Hanbali School of Islamic Law. Meanwhile and till the defendant or his agent will collect the slave girl she will remain in the custody of the suitor who will get back his money.

55 On the physicians' guild in Ottoman Jerusalem, see Cohen, *The Guilds of Ottoman Jerusalem*, 81–84.

This court verdict was written on twentieth of Rabīʿ the Second 1024 (19 May 1615).

Manumission of a Slave Girl by ʿAli the Dragoman[56]

At the noble court, the seat of observed tradition, at the tribunal headed by our master, the model of judges and arbitrators, the judge who implements the Sacred Law, our leader the judge Muṣṭafá Efendī whose honorable handwriting on the upper part of an identical copy [authenticates that document].

ʿAlī b. Yūsuf the Dragoman, the pride of his peers, attested at the court of law, in sound mind and in full compatibility with the juridical requirements, that he manumitted his black slave Mubārk (the blessed; a common slave name) the son of ʿAbd Allah. He is a medium size man and wounds are visible in his face. ʿAlī stated that he knows him well and has no doubt that Mubārk is his slave and property. He manumitted him in hope of accomplishing the Prophet's maxim:

Whoever frees a believing slave,
Allah will ransom each of his limbs from the Fire for each of his (the slave's) limbs,
even his private part for his private part.[57]

By completing this act of manumission, the above-mentioned Mubārk is declared to be a free Muslim, entitled to all the benefits that free Muslims enjoy and subjected to all duties imposed upon them. Except the special authority that a patron (*mawlá*) has over his manumitted slave. This is an established practice and hence no one else has any authority over Mubārk and no one can give orders to him.

This was executed and lines were written, confirmed and signed on the twenty-third of Jumādá the First 1024 (20 June 1615).

Manumission of Gülistan al-Rumiyya, the Slave Girl[58]

ʿAlī Bashah (Bāshā i. e. Pasha) the son of ʿAbd Allah the pride of his peers, who serves in the army battalion (*Yeniçeri*), attested for himself[59] that he accomplished the manumission of Gülistan b. ʿAbd Allah the Anatolian Greek (*rū-*

56 *Sijill*, 96:266, case no. 1.

57 Muslim b. Ḥajjaj al-Qushayrī (206–261/821–875), *Ṣaḥiḥ* Arabic-English, ed. Nasiruddin al-Khattab (Riyad, 2007), vol 4: 211–12, no. 3797–97.

58 *Sijill*, 107: 463, case no.19. Jumada the First 1033/9 March 1624).

59 This is a very old formula. See Geoffrey Khan, "An Arabic Legal Document from the Umayyad Period," *Journal of the Royal Asiatic Society*, Third Series, 4 (1994): 361.

miyya) white slave girl, who is the mother of his son (*umm walad*). A week prior to this date he had married her to the felicitous lad Sīdī Aḥmad the son of the paragon of the virtuous Muslims the sheikh Ḥusayn the b. Tayyib? the paragon of those noted for serenity.[60] He accomplished it, comprising the needed legal perceptions, in hope of gaining God's favour and in search of His inclusive reward. "Surely God recompenses the charitable."[61] "Surely God leaves not to waste the wage of the good-doers."[62]

The slave girl Gülistan became a free Muslim woman due to this manumission by ʿAlī and a full member of the Islamic community. She is entitled to everything they are entitled to, and she will accomplish all the duties which are imposed upon them. [No one has any authority over her, except the legally agreed special relations between patron and client]. Due to this deed of manumission by ʿAlī he is eligible to those rewards that an owner, who hopes that his rectitude will gain him the favor of God.

This event took place at the court of law and was documented on the twenty-sixth of Jumādá the First 1024 years of the Hijri calendar (23 June 1615) and signed by the below named witnesses.

Manumission of a Slave Girl[63]

At the noble court of justice in Noble Jerusalem. God prolong his high ranking position, protect him, and increase his admiration and respect. At the tribunal headed by our master the sheikh Muhammad ʿyou, whose honorable handwriting on the upper part of an identical copy [authenticates that document].

The manumission of the black salve girl named Murjāna is the purpose for composing this document. ʿAbd Allah b. Yaʿqūb the Anatolian (*al-Rūmī*), the illustrious of the righteous, is the legal representative of our master Mujāhid Pasha, the retired chief commander who dwells now in Jerusalem. In all court issues, in writing, attending and in all deeds he serves as the legal agent of him, the commander of the magnanimous commanders, of equanimity the decisive senior amongst the highest-ranking, the keeper of lustre and reverence, the trailing follower of equanimity and resoluteness. At all times God will support his firmness.

ʿAbd Allah b. Yaʿqūb's agency is confirmed by a written document and oral witness at the court by the pride of his peers Mustafa b. Muhammad, the battalion

60 The act of selling a pregnant *umm walad* is seen by Muslim lawyers as distasteful (*makrūh*). A reference is required here.

61 *Quran* 12: 88.

62 *Quran* 12: 90.

63 *Sijill*, 107: 486 (1033/April 1624).

commander (*bölükbaşı*)[64] who is stationed at Jerusalem's castle. It is also approved by the pride of his colleagues Abū al-Naṣr b. ʿAmr.

ʿAbd Allah b. Yaʿqūb al-Rūmī reported to the court and in accordance with juridical procedures that Mujāhid Pasha, who has nominated him as his agent (*muwakkal*), has manumitted his black slave girl Murjāna bint ʿAbd Allah. And that he did so prior to the date of the present session. He manumitted her according to the requirements of the Islamic law and accomplished it totally. By proceeding with this deed Murjāna is declared to be a free Muslim woman. and a full member of the Islamic community. She is entitled to everything they are entitled to, and she will accomplish all the duties which are imposed upon them. No one has any authority over her, except the legally agreed special relations between patron and client. No one is her patron, except her former owner who has an agreed authority over her. He manumitted her for God's sake and in hope of gaining His immense reward.

This process was entirely sanctioned in the court of justice by the judge who is named above. This legal deed was approved fully by the witnesses who are named below. It was accomplished on the fourteenth of Jumāda the Second in the year 1033 (3 April 1624).

Manumission of a Slave Girl (*ʿitq jāriya*)[65]

In the name of Allah, the Compassionate the Merciful. O my Lord I am begging You asking Your benevolence, be kind in Your divine decree, in determining my fate and destiny (*al-qaḍāʾ wal-qadar*).[66]

Saturday, the First of Rajab 1041 (24 January 1632). Hopefully good it will be.

"Praise belongs to God who has sent down upon His servant the Book"[67] and Who ordered the manumission of the slave. And praises and blessings on our primary Guide Muḥammad the messenger who doubtless and without any incredulity was sent to all mankind and brought the message to all creatures. Peace and blessing upon Muḥammad's household, companions, venerates and followers. Constant invocations and endless intercession and benediction upon

64 On this military commanding position, see Jane Hathaway, *The Politics of Households in Ottoman Egypt: The Rise of the Qazdaghs* (Cambridge: Cambridge University Press, 1997/2002), 38–39; Charles L. Wilkins, *Forging Urban Solidarities Ottoman Aleppo 1640–1700* (Leiden: Brill, 2010), 175.

65 *Sijill*, 119: 2, case no. 1 (1041/1632).

66 Within Islamic jurisprudence these concepts assert belief in divine providence and that certain characteristics in an individual's life are preordained by God, yet without alerting the believer.

67 *Quran* 18: 1.

them. They should be blessed with eternal peace till the Day of Reckoning when "so whosoever wills takes unto his Lord a resort."[68]

And after the blessing to the essence: This certificate was inscribed at the unpolluted court of justice, the seat of forbearance and the assembly of the right, illuminating and vivid path, in Noble Jerusalem the pure city to which no dirt clings, in the center of governance and the place of sanctity, at the office of our master and lord, the paramount scholar, who toils hard, the brilliant, the composer of exegeses, the reinforcer of the law's foundations and who produces the most elegant decisions, our chief judge, the most prominent Muslim jurist, the dominant leader, the source of knowledge and theology, the inheritor of the gallant prophets' wisdom, the supporter of the great leaders, the vanguard of the famous and trusted scholars, the intellect who distinguishes between the permissible and the forbidden, the judge who differentiates between the mistaken and the agreed that the chief of Muslim sheikhs, the learned, the industrious, the excellent, the perfect, the intellectual that differentiates between the right and wrong, the arbitrator who executes the Holy law, the master, the sponsor, our patron Muḥammad Efendī the son of Ismāʿīl who serves as the lord justice in Noble Jerusalem whose honorable handwriting on the upper part of an identical copy authenticates that document.

The honorable lady Ruqayya the daughter of Riḍwān Efendī attested that she had manumitted the tall white slave girl named Raftar bint ʿAbd Allah. She, the gallant soul, the merciful, the lenient, the prime of the bests, the perfect modest woman, the perfect, the honest, the faultless pearl, whose innocence is well-guarded and whose purity is well-preserved, the perfect woman who is immune from wrong doing, Ruqayya—may God elevate (*r.q.y*) her in the ladder of reward for her good deeds and bring her up to the utmost location and protect her purity by covering her with His protective and trustworthy shelter—he daughter of the great master Riḍwān Efendī, the glorious lion, the graceful, the paramount patron, the shining moon who illuminates the upper skies, the late one who has raised up to God's mercy, whom God forgives. In the past he [Riḍwān Efendī] served as a judge in Cairo—God protect the city. His signature—may Allah illuminate his grave and make him please in the hereafter—is visible on the upper lines of this document.

Ruqayya manumitted her Russian slave girl (*jāriya*) named Raftar bint ʿAbd Allah, who is carrying this certificate. She is confident that the white tall girl, whose eyes' color is dark blue (*shahlāʾ*) and whose eyebrows are parted is her property, is undeniably her bounded slave girl (*mamlūka*).

She manumitted her in hope of gaining the Creator's reward and the favor of the Almighty Allah, and to obtain the generosity of the Graceful Lord. In search

68 *Quran* 78: 39.

for His inclusive recompense she fulfilled his maxim: "Whoever frees a believing slave, Allah will ransom each of his limbs from the Fire for each of his (the slave's) limbs". She fully executed the act of manumission, carrying out all the legal requirements. Due to this accomplishment the above mentioned Rafter is declared a free woman. She is entitled to all the benefits that free Muslims enjoy and will be subjected to all duties imposed upon them. No one has any authority over her and no one can order her, except the special relations between patron and client and the patronage that he retains over his manumitted slave.

Our above mentioned judge—may God prolong his gladness—approved this certificate and declared it a sanctioned legal deed. It was written on the first of Rajab 1041 (24 January 1632). The signatures at the lowest part testify to its validity.

Conclusion of a Slave girl Purchasing Deal[69]

At the court of justice presided by the judge ʿAbd al-Raḥman Shinasī, the model of Muslim magistrates, whose handwriting on the upper part of an identical copy [authenticates that document], God prolong his high ranking position.

The man identified as Ibrāhim b. Ḥasan al-Rūmī, acknowledged and affirmed in sound mind and complete awareness, willingly and freely, with no coercion or enforcement, has collected the sum of 85 Ottoman silver coins from ʿAlī Beg b. ʿUthmān al-Rūmī, who is presented with him at the court hall. This sum of money is the market price of an Ethiopian slave girl whom the above ʿAlī Beg has bought from him and that the buyer, not in debt and who does not owe him any sum of money. And that he holds no complaint against the above mentioned ʿAlī neither any claim, demand or request. He does not harbor any bidding from him, not regarding the past neither concerning current issues. ʿAlī Beg affirmed and restated this declaration in line with the juridical procedure of the Islamic court of law.

This statement was validated at the court of our master the above named judge, may God prolong his satisfaction, according to the regulations of the Islamic court of justice, on the first of Shaʿbān 1056 (12 September 1646).

69 *Sijill*, 136:339, case no.1 (1056/1646).

The Purchasing of a Slave Girl[70]

At the court of justice presided by our master and leader, the paragon of noble teachers, the primary of highly estimated scholars, the offspring of great patrons, the decider in legal issues and cases who writes his verdicts according to the law, the judge, the benefactor ʿof al-Bāqī Efendī [b. Muḥammad al-Ḥusaynī], who inscribed his signature above, God will prolong his merits and virtues.

The trustworthy representative, the pride of the eminent chiefs Ṣalāḥ al-Dīn, the son of the late leader ʿAlī al-Khaṣībī, the grandeur of the chieftains who due to his honourable ancestors is known as al-Ṣamādī, who is the guardian of his disabled cousin, Fakhr (the pride of) al-Islām the son of the late Maḥmūd, bought on behalf of his disabled cousin and using his money, with no others' money, the black slave girl named Saʿīda. The noble court of law authorized him to accomplished this transaction. He bought the maid from Muḥammad b. Ḥarb al-Jayyūsī,[71] who sold her to the above name disabled lad. At the time of the deal the girl was his private property. She is present with him at the court hall and was properly identified by the seller, who is undoubtedly confident that she, the black slave girl, is undeniably his bounded private property and he owns her.

The buyer paid willingly on the spot the sum of 50 Lion Dollars (*asdī*)[72] to the seller who was observed and witnessed collecting the sum at the court hall. It was executed according to the common legal procedures. By doing it the guardian, the buyer, was cleared from any doubt or payment, total or partial. It was lawfully done and he is free from any legal claim. His due payment was collected by the seller whose expenses were all paid. They completed the transaction according to the laws of Islam; they did so voluntarily and with no coercion. They lawfully exchanged, giving and taking. Completing the examination of the merchandise, the identification and licit contract satisfactory, their ways separated. The realization of the deal was according to the legal regulations of cancelation, consequences and responsibility. It was a complete and binding commercial agreement, and the two parties parted in harmony. [And the judge authorized this acquisition.]

The sheikh Sāliḥ b. ʿUqba, the legal agent of the lady Benūba the daughter of Yāsīn b. ʿUqba, who is the mother of the above mentioned Fakhr al-Islām and the

70 *Sijill* 150: 333, case no.4 (Ramadan 1065/July 1655; to be continued on page 380).

71 On this clan, see Beshara Doumani, *Rediscovering Palestine:* Merchants and Peasants in Jabal Nablus, 1700–1900 (Berkely: University of California Press, 1995), 35.

72 Stanley Lane-Poole, "On the Weights and Denominations of Turkish Coins," *The Numismatic Chronicle and Journal of the Numismatic Society*, Third Series, 2 (1882): 175; Charles Issawi, *The Fertile Crescent 1800–1914: A Documentary Economic History* (Oxford: Oxford University Press, 1988), 407; Dror Ze'evi, *An Ottoman Century: The District of Jerusalem in the 1600s* (Albany: State University of New York Press, 1996), 143–45.

caretaker of this disabled son of her, was presented at the court hall during the completion of this bargain and observed the transaction. Sāliḥ requested to purchase the above mentioned slave girl, intending to employ her as a servant of the disabled lad. She will serve him, take care of him, his beverage and cook for him.

Succeeding this procedure Ṣāliḥ, the above mentioned agent, handed the slave girl to Banūba, the mother of the above mentioned disabled boy, and the deal was accomplished. She expected the slave girl to stay with them. The transaction was endorsed by Yaḥya, another guardian of the handicapped person, who observed its realization. The guardian's expenses in this transaction, the court's fee and the broker's remuneration were two and half Ottoman silver piasters. The above mentioned respected Ṣalāḥ al-Dīn indicated that the payment for the purchase of the slave girl was 50 Ottoman silver piasters. In addition to this sum, he paid also a fee to the court. He obtained this money from Khalīl b. Qamīʿ, who was in charge of the handicapped, and who approved these details.

Our master and lord the above mentioned judge, may God prolong his days, validated this document and approved the transaction declaring it to be legally sound and binding. Written on the 15th of the blessed month Ramadan 1065 (19 July 1655).

The Selling of a Circassian Slave Girl[73]

The purpose for composing this document at the noble court of justice and the seat of observed tradition [in Noble Jerusalem], God prolong his high ranking position. At the tribunal presided by our master and leader, the paragon of noble teachers, the primary of highly estimated scholars, the offspring of great patrons, the decider in legal issues and cases who writes his verdicts according to the law, the judge, the benefactor Abd al-Bāqī Efendī [b. Muḥammad al-Ḥusaynī] al-Ḥanafī, who inscribed his signature above, God will prolong his merits and virtues.

And after the blessing to the essence: The Ḥājj Sulaymān ibn Ramaḍān attested and confirmed, reaffirmed what he has said and denies what erroneously is ascribed to him, that he obtained legally and lawfully from the Ḥājj Ḥusayn b. ʿAlī al-Rūmī the sum of eighty Lion Ottoman silver coins. This is a valid effective confirmation. It is the outcome of a transaction. The above mentioned Ḥājj Sulaymān b. Ramaḍān has sold a slave girl to the above named Ḥājj Ḥusayn b. ʿAlī who bought her and her suckling baby. He bought from the vendor the white

73 *Sijill*, 150: 357, case no.2 (13 Shawwāl 1065/16 August 1655).

Circassian slave girl and her child, who were his private property, and paid for them the sum of eighty Lion Ottoman silver coins.

This transaction was legally agreed between the parties and was officially endorsed. Hence the sum of eighty Lion Ottoman silver coins exchanged hands, the seller collected them and the buyer is freed from any debt. An official certificate that confirms it has been issued. They completed the transaction according to the laws of Islam, they did so voluntarily and with no coercion. They properly exchanged, giving and taking. Completing the examination of the merchandise, the identification and licit contract. The realization of the deal according to the regulations of cancelation, consequences and responsibility, made it a complete and binding commercial agreement. Satisfactory, they parted.

This certificate was written on 13 Shawwāl 1065 (6 August 1655) and approved by the witnesses who signed below.

Troubles with a Slave Girl[74]

[At the court] in front of our master and leader the mainstay of noble judges and magistrates, the decider in legal issues and cases who writes his verdicts according to the Holy law, the leader of the best scholars, the judge Ṣāliḥ Efendi who inscribed his signature above, God will prolong his merits and virtues.

Above, on an earlier date, in a court case that was registered regarding the purchase by grandeur of the chieftains (*Fakhr al-Sādāt*) Ṣalāḥ al-Dīn the son of the late ʿAlī al-Khaṣībī, who is known by his blessed lineage as al-Ṣamādī, the trustworthy guardian of his debilitated cousin Fakhr al-Islām the son of the late Maḥmūd al-Ṣamādī. He [Ṣalāḥ al-Dīn] has bought with the money of his debilitated cousin a black slave girl named Saʿīda (blissful). Banʿna bint Yāsin b. ʿUqba, the mother and guardian of the above named Fakhr al-Islām, bought the maid purposing that she will aid Fakhr al-Islām, her debilitated son. Our master the judge authorized this requisition and approved the payment of fifty Lion Ottoman piasters. With this payment the deal was concluded. In addition to that, and in order to legitimize the acquisition of the slave girl, he permitted the buyer to pay an additional sum of two and a half silver piasters as court and broker's fees. As was already mentioned above this deal was concluded on the 15th of the blessed month Ramadan 1065 (19 July 1655).

Yet it turned out that this slave girl failed to execute her lady's orders and that she is not fit to serve as a maid [and] that she fled from her owner's house. For three days she kept hidden. No one knew about her. Ṣalāḥ al-Dīn, the abovenamed guardian, promised the sum of six silver piasters for information re-

74 *Sijill*, 150: 380, case no.2 (Continuation from page 333).

garding the disappeared slave. And indeed, after a period of her escape and hiding she was apprehended. Following this development, the above named guardian approached the court. Claiming that this slave girl might flee once again and could cause damages to her owner he requested the judge's approval to sell the maid to whomsoever wishes to purchase her and who is ready to pay for this transaction. The above mentioned judge authorized the selling of the slave girl.

Eventually the chief Ṣalāḥ al-Dīn, the above named guardian of the boy, sold the above named black slave girl, who is known as Saʿīda and is thoroughly identified, to the emir Muḥammad the son of the emir Ṭurbāy, who belongs to the Arab Bedouin tribe of al-Ḥarātha. Paying with his money, with no others' capital, the emir bought the above named Saʿīda, who was properly identified by the parties to the deal. No one can assume that her identification is wrong and invalid. The purchaser, Muḥammad b. Ṭurbāy, agreed to pay the seller a delayed payment of thirty-five Ottoman piasters. He accepted that he will pay this delayed payment (*muʾajal*) to the vender on the first of Ṣafar 1066 (29 November 1655).

The transaction was freely and willingly agreed upon both sides, the creditor and the debtor. They completed the transaction according to the laws of Islam, they did so voluntarily and with no coercion. They properly exchanged, giving and taking. Completing the examination of the merchandise, the identification and licit contract satisfactory, their ways separated. The realization of the deal according to the regulations of cancelation, consequences and responsibility, made it a complete and binding commercial agreement.

Following the conclusion of that deal and his pledge to undertake his commitments, the emir Muḥammad Ṭurbāy transferred the delayed debt that he undertook to pay to a third party (*ḥawāla*). He passed on his debt to the above mentioned vendor Ṣalāḥ al-Dīn the trustee, to the ornament of his peers (*aqrān*)[75] ʿAlī Beg the son of the late Muḥammad Beg who is known by the name Ibn Abī al-Sibāhī (*sipahi*; the son of the cavalry commander) who is presented with him at the court with both parties. ʿAī Beg accepted the obligation of paying the debt of Muḥammad Ṭurbāy. The total sum of his undertaking was thirty-five Lion Ottoman piasters, the price of a horse that ʿAlī Beg had bought from Muḥammad Ṭurbāy.

Without plunging into details and reiterating the story, ʿAlī Beg undertook to pay his own delayed debt to Muḥammad Ṭurbāy. The volume of this debt was an equal sum to the sum of money that Muḥammad Ṭurbāy undertook to pay to Ṣalāḥ al-Dīn, the vendor of the slave girl when he purchased her. It is a legal and binding endorsement that obliges both parties, the assignor and the collector of

75 This is an old honorary title. For *sitt al-aqrān*, see Geniza document T.S. 18 J I 17 published by Sh. Assaf, "Slavery and the Slave-Trade in the Middle Ages" *Zion,* 4 (1940): 276 (l. 4; Hebrew).

the payment. He will collect this money as compensation for the loses that the cripple Fakhr al-Islam has lost, and which amounted to the sum of twenty-three and a half Ottoman piasters. This sum payed the recovery of the slave girl's price, and the court and the broker's fees. They agreed upon these conditions and the court accepted the contents of this document. Our master the above mentioned judge, may God prolong his days, validated it. Written on the sixth of the Dhū al-Qaʿda the sacred 1065 (6 September 1655).

Farḥa bint Nūr al-Dīn Manumitted Her Black Slave Girl Fāʾida[76]

At the court of justice that is presided by our lord and master, the paragon of Muslim judges and the treasure of Islam's magistrates, the chief support of the patrons, the great scholar, ever honorable and gallant leader, the judge who implements the Sacred Law, Abū al-Barakāt Muḥammad Sharf al-Dīn Efendī al-Khālidī, whose honorable handwriting on the upper part of an identical copy [authenticates that document], God prolong his high ranking noble position.

The lady who is identified as the Ḥajja (pilgrim) Farḥa bint al-Ḥājj Nūr al-Dīn, who is identified and legally recognized at the court of justice by the witness al-Ḥājj Muḥammad b. al-Ḥājj b. ʿĪd b. al-Bahā, declared and acknowledged that on the month of Rabīʿ the First 1036 she had manumitted her privately owned black slave girl Fāʾida bint ʿAbd Allah. She attested that she recognises and identifies the girl, whose land of origin is Kordofan, who has served her. She was her private property, no doubt regarding that.

Farḥa manumitted her slave girl in hope of gaining God's reward, in eagerness to gratify the Almighty and in executing the Prophet's maxim: "Whoever frees the soul of a true believer (i. e. Muslim slave), Allah will save from the Fire of Hell all the parts of his body, as he has freed the body-parts of that slave. Freedom will be rewarded by relief." She accomplished this, complying with the rules of Islam. By this deed Fāʾida bint ʿAbd Allah is declared a free woman. She is entitled to all the benefits that free Muslims enjoy. No one has any authority over her, except the special relations between patron and client and the patronage that the he retains over his manumitted slave.

This certificate was written on the fourteenth of Ṣafar 1067 (2 December 1656).

76 *Sijill*, 152: 3, case no. 4 (Ṣafar 1067/November 1656).

The Merchant Yaḥya b. ʿAbd al-Raḥman Purchases a Slave Girl[77]

The pride of the honorable merchants Yaḥya the son of the late ʿAbd al-Raḥman b. ʿAwn purchased the black slave girl named Shaghra. He acquired her with his private money and for reserved use, with no partner joining him, from the vendor Aḥmad b. ʿAbd al-Ḥakīm al-Khalīlī (from Hebron), the guardian of the daughters of Sharf al-Dīn Aghā. He has paid to the vendor the price of seventy Ottoman piasters. The vendor, the above named guardian, collected the sum of money. The daughters inherited the slave girl from the late merchant (*khawāja*) ʿAbd al-Raḥman, who served as the guardian of the daughters of Sharf al-Dīn Aghā. He [the vendor] collected the money [from the hands of the buyer] in a legal transaction that was executed willingly at the court of justice.

A Court Warren Against Murjana[78]

The purpose of composing this document at the noble court of justice and the seat of observed tradition [in Noble Jerusalem] God prolong his high-ranking position. At the tribunal presided by our master and leader, the pride of the awe-inspiring lords, the mainstay of the reputable teachers, the refinedness of the great scholars, the splendor of the people's leaders, the judge who implements the Sacred Law, Abū al-Barakāt Muḥammad Sharf al-Dīn Efendī al-Khālidī, whose honorable handwriting on the upper part of an identical copy [authenticates that document], God prolong his high ranking position and magnanimity.

The grandeur of the chieftains Isḥaq al-Wafāʾī[79] al-Ḥusaynī[80] approached the court of law where the maid (*jāriya*) Murjāna[81] bint ʿAbd Allah the manumitted slave girl of the wife of the sheikh Muḥammad b. *al-shaykh* Yaḥyá was attending, and asked the above mentioned judge to issue a juridical warren against Murjāna, which should prevent her from entering his home and prevent her from lodging in it.

The above mentioned judge summoned the above named Murjāna and ordered her not to approach the house of (Isḥaq al-Wafāʾī al-Ḥusaynī) and pro-

77 *Sijill* 152: 565, case no. 3 (1068/October 1657).

78 *Sijill*, 155:1 (Ṣafar 1068/November 1657).

79 On this Sufi order, see J. Spencer Trimingham, *The Sufi Orders in Islam* (Oxford: Clarendon Press, 1971), 49; Richard J. A. Mcgregor, *Sanctity and Mysticism in Medieval Egypt* (Albany, NY.: SUNY Press, 2004).

80 Personably an ancestor of the renowned Palestinian family. Ilan Pappe, *The Rise and Fall of a Palestinianv Dynasty: The Husaynis 1700–1948* (London: Saqi, 2010).

81 The vocalization is Murjāna is in the document.

hibited her from lodging in it. She was ordered to execute this lawful ruling and she submitted to the court's legitimate decree.

This court-order was recorded in middle Ṣafar 1068 (November 1657) and signed by the witnesses.

A Claim by Fāʾida a Black Slave Girl[82]

The inducement for composing this court record is a claim by a black slave girl named Fāʾida. At the court of justice, God prolong his high ranking position, that is presided by our lord and master, the humble servant of God who needs His help, who hopes to gain His kindness and His rewards, who yearns for God's forgiveness and clemency, the eminence of Muslim judges and the treasure of Islam's magistrates, the chief support of scholars and the paramount of teachers, the supporting beam of patrons, the shining moon who illuminates the sky, the judge who implements the Sacred Law, Abū al-Barakāt [Muḥammad] Sharf al-Dīn [Efendī] al-Khālidī, whose honorable handwriting is inscribed on the upper part of an identical copy [authenticates that document], God prolong his high ranking noble position.

Fāʾida bint ʿAbd Allah, a black slave girl, approached the court of law and in the presence of the sheikh Ḥamidān, the splendor of God-fearing Muslims, the son of the late sheikh Muḥammad al-Dāʾudī, the legal agent of the splendor of free Muslim women the noble widow Nūr al-Hudá, the daughter of the late sheikh Aḥmad al-Dāʾudī who was the wife of the late paragon of industrious scholars the sheikh Aḥmad al-Ḥāmidī.

Fāʾida bint ʿAbd Allah was legally identified by the splendor of God-fearing Muslims Najm al-Dīn the son of the late Aḥmad al-Dāʾudī. She filed a complaint [against Nūr al-Hudá]. Turning to the above mentioned *al-shaykh* Ḥamidān she declared at the court of law that she was a bounded slave girl. She was possessed by her owner the sheikh Aḥmad al-Ḥāmidī. He was her proprietor and she was his bounded slave girl. During his life and prior to his death he retained her and promised her that after his death she will gain her freedom. Hoping to obtain God's mercy he will manumit her. Adding that he past owner the sheikh Aḥmad al-Ḥāmidī has passed away and with that development she gained the freedom that he has promised her.

Yet, Fāʾida bint ʿAbd Allah argued in her statement, the above-mentioned respondent refuses to accept this and illegally takes a stand against manumission. She presented her case and refuses that she be manumitted. This objection is illegal. She demands his response to her allegations. The defendant disclaimed

82 *Sijill*, 156:306 (Jumādá the Second 1069/March 1659).

her statement and asked the plaintiff to issue supportive evidence (*bayyina*) that will uphold her arguments.

Fāʾida bint ʿAbd Allah called two witnesses: The paragon of the religious leaders, learned scholars and honorable nobles our master the sheikh Sulayman the son of the late paragon of God's righteous worshipers the sheikh b. Abī al-Dāʾudī and the paragon of the teachers Muṣṭafá b. Isḥaq al-Dajānī. After the formal legal procedures at the court they both attested that she, the plaintiff, was the slave girl and the property of the late sheikh Aḥmad, the deceased owner who was mentioned previously. And that he had made it publicly known that she is his private possession. They added that he, being in sound mind and body, promised her that after his death she would be free (*dabbara*).[83] And that it is a pledge that he has undertaken according to the legal procedures. He affirmed that because of his hope to have God's reward he manumitted and freed Fāʾida and that he made this statement while they two were present. Adding, in line with the court of law regulations, that her late owner had passed away and that his will should be executed.

Manumission (*ʿitq-nameh*) of a Slave[84]

"Praise belongs to God who has sent down upon His servant the Book"[85] and Who ordered us to manumit the slave. And praises and blessings on our primary Guide Muḥammad the messenger who doubtless and without any incredulity was sent to all mankind and brought the message to all creatures. Peace and blessing upon Muḥammad's household, companions, venerates and followers. Constant invocations and endless intercession and benediction upon them. They should be blessed with eternal peace till the Day of Reckoning when "so whosoever wills take unto his Lord a resort."[86]

And now to the essence of the issue addressed here: In the admirable and honourable Islamic court of law, the gathering hall of the illuminated and flourishing assembly, in Jerusalem the noble city, the glorious house of God who exalts and protects that city. In the presence of our esteemed judge, our master, the poor slave of God who depends on Him and who needs His mercy, the slave who hopes for God's clemency and His benevolence. The glory of judges and the

83 On *tadbīr* and manumission see Patricia Crone, *Roman, Provincial and Islamic Law: Te Origins of the Islamic Patronate* (Cambridge: Cambridge University Press, 1987), 75; Nur Sobers-Khan, *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: Klaus-Schwarz Verlag, 2014), 71–78.

84 *Sijill*, 156: 436(1069/1659).

85 *Quran* 18: 1.

86 *Quran* 78: 39.

grandeur of the teachers, the supporting pillar of the effective scholars, the primary grammarian and instructor of Islamic Law methodology, who resolves awkward religious problems, the master Ibrāhīm Efendī, the judge at the Sharia court whose signature is inscribed above. God will prolong his merits and virtues.

The splendour of his peers and the ornament of his friends ʿAlī Aghā the son of his ornament of his friend Dhū al-Fiqār al-Rūmī, reported at the court of justice and in sound mind, in full conscience, complying with Islam's ethics, willingly and eagerly he declared that he identifies certainly and recognizes perfectly the black slave named Qara (black in Turkish) ʿAlī the son of ʿAbd-Allah, a tall Nurabi (Sudan).[87] Adding that he had manumitted this confined slave who accompanied him and is standing next to him at the court. He did so in hope of winning God's rewards, in eagerness to gratify the Benefiting Almighty, and aiming to execute the Prophet's maxim: "Whoever frees the soul of a true believer (i. e. Muslim slave), Allah will save from the Fire of Hell all the parts of his body, as he has freed the body-parts of that slave." By accomplishing this deed ʿAlī b. ʿAbd Allah was declared a free Muslim. He is entitled to all the benefits that free Muslims enjoy. No one has any authority over him, except the special relations between patron and client and the patronage that the he retains over his manumitted slave.[88]

The content of this certificate was affirmed by our master and lord the Muslim judge who was named above, may God prolong his days and bestow upon His gratification. It was affirmed legally and executed according to the directives of the Islamic law. The document was written and edited following strictly the ordinance of the Sharia and fulfilling all its prescription. It was written on the twenty second of Dhū al-Qaʿda in the year 1069 (11 August 1659) and signed by the witnesses.

A Black Slave Girl[89]

At the noble court of justice and the seat of observed tradition [in Noble Jerusalem], may God prolong his glory and high ranking position. At the tribunal presided by our master and leader, the paragon of noble Muslim judges, the solver of juridical problems, and the treasure of Islam's magistrates, the Muslim judge who strictly implements the Islamic Holy Law, the refinedness of the great

87 On this place see Francis Reginald Wingate, *Mahdiism and the Egyptian Sudan: Being an Account of the Rise and Progress of Mahdism* (London, 1891), 80.

88 On post manumission personal clientage (*walāʾ al-ʿitq*) see Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire: The Design of Difference* (New York: Cambridge University Press, 2010), 134.

89 *Sijill*, 156:540, case no. 2 (1070/1659).

scholars, the arbitrator who prosecutes the Sacred Law the doyen Ibrāhīm Efendī the son of Khalīl, the judge and foremost arbitrator, whose honorable signature is inscribed on the upper part of an identical copy [authenticates that document], God prolong his high ranking position and his merits and virtues.

The purpose for composing this document is an application by ʿAbd al-Qādir b. ʿAbd al-Raḥman Tarbāna, who represents himself at the consecrated and attentive Shariʿa court in this case, and by the Ḥājj Aḥmad b Muḥammad al-Labadānī the juridical representative of his wife Ṣāliḥa, the daughter of ʿAbd al-Raḥman Tarbāna, whose position as her legal agent is affirmed and established by an earlier court certificate.

The motive for writing this document is their application against Ḥusayn b. Aḥmad al-Tūbjī (the artillery officer), who is the legal representative of Muʾmina the daughter of the white hair (Aq Bāsh) Daʾwūd and the widow of al-Ḥājj Shaʿbān. He [Shaʿbān] is the late brother of the honorable plaintiff the above named ʿ is al-Qādir and of the above named Ṣalīḥa. His death is confirmed by a court certificate

In their appeal they jointly claimed that among the items that are listed in the estate of the above-named deceased Shaʿbān is a black slave girl named Faʾīda (benefit). They claimed in their plea that the above named Muʾmina, who authorized the above named agent Ḥusayn b. Aḥmad al-Tūbjī to represent her in court, unlawfully blocks them from approaching this slave girl and from taking possession of her. They requested the court to order the above-named responded Muʾmina to remove her hands from Faʾīda and to hand over this slave girl, so that she will be in their control and hence they will be able to sell her. With this income the inheritance can meet the deceased's debts that legally the widow should clear. There is no way for him to avoid it.

In response, the disputant [Ḥusayn b. Aḥmad al-Tūbjī] stated that slave girl, over whom is the present disagreement, is the private property of Muʾmina, the widow [of al-Ḥājj Shaʿbān], whom he represents. She has paid with her exclusive money and bought the maid from an owner who was her first possessor. To obtain the slave girl she paid the man who previously has owned the girl the sum of 85 Ottoman silver piasters. She permitted Shaʿbān, her late husband to join her in this transaction and share the purchasing. She has paid the seller 35 Ottoman silver piasters. And authorized her late husband Shaʿbān to pay to the vendor, the owner of the slave girl, the remaining quantity of 50 Ottoman silver piasters. This payment was subtracted from the balance of her bride money, which he in a written agreement (*kitāb al-zawjiyya*) has undertaken to pay after the wedding as a second instalment (*muʾakhkhar*). Indeed, her late husband Shaʿbān paid the vendor, the past owner of the slave girl, from his own money the sum of 50 Ottoman piasters. Yet, the late and above named Shaʿbān, has never owned the slave girl and never had a share in her. The two claimants rejected Muʾmina's

assertion as fabricated worthless testimony. They demanded the defendant's agent support his response by submitting evidence (*bayyina*) to the court.

So, al-Ḥājj Ḥusayn, the legal agent of the above-named Muʾmina, returned to the court-hall accompanied by two witnesses. One of them is named al-Ḥājj Muḥammad b. ʿUthman al-ʿAbadī and the second is named al-Ḥājj ʿAlīm who served as a commander (*bulūkbāshī*) of a battalion stationed in Jerusalem's castle. With them also came a third witness. He was ʿtat, the head of the slave-dealers' corporation (*dallālīn*) in Jerusalem. The three witnesses willingly testified and informed the court of justice according to the procedures of the Islamic law. They stated in their testimony that the late Ḥājj Shaʿbān had assured them, prior to his death at the above recorded date, that Fāʾida the slave girl, who is at the heart of this court case, is the private property of Muʾmina the daughter of Dāʾwud Aq Bāsh and that his wife had bought the maid with her own private money, paying 85 Ottoman piasters to the above mentioned seller, who earlier owned the slave girl. He specified that she handed over to the seller the sum of 35 piasters. The late Ḥājj Shaʿbān added that his wife Muʾmina has authorized him to pay the remaining 50 piasters from the bride-money he pledged to pay her. And he has paid this sum in line with their marriage contract. She expressed her consent in accordance to the law. Muʾmina also acknowledged that her husband Shaʿbān gave her a surplus sum of twenty Ottoman piasters.

The witnesses validated Muʾmina's declaration at the court and in line with the legal procedures and confirmed the authenticity of her statement. According to the regulation of the court the witnesses validated their proof. They did so in the presence of ʿAbd al-Qādir and al-Ḥājj Aḥmad, the claimants who brought the case against her. They testified a sound and valid testimony rejecting the claims of the plaintiffs ʿAbd al-Qādir and al-Ḥājj Aḥmad. Their witness supported legally her position and no blunder was found in it. There were no faults or unfounded arguments in their legally verified testimony.

Our gallant judge confirmed this testimony and approved her narrative. Doing so he approved Muʾmina's ownership of the slave girl and decreed that the maid will remain with her. He also blocked ʿAbd al-Qādir and Ṣāliḥa from obstructing Muʾmina. This decision was written on 16th of Rabīʿ the First in the year 1070 (1 December 1659) and authenticated by the signatures of the witnesses.

Appendix 2

Court Records Regarding Slaves in Ottoman Jerusalem[90]

سجل محكمة القدس رقم 96 – صفحة 91:

بالمجلس الشرعي المحرر المرعي أجله الله تع [91] لدي مولانا قدوة النواب وزبدة العلماء ذوي الألباب الحاكم الشرعي المولى عالم أفندي الموقع خطه الكريم <2> أعلى نظيره دام علاه. [92]

أدعى الحاج علي بن عبد الله المغربي الرجل الكامل الخالي العارضين على الحاج سليمان بن عبد الله المغربي الحاضر معه <3> بالمجلس فقال في تقرير دعواه أنه اشترى من المدعى عليه جارية بيضاء تدعى عائشة بمائة وأربعين غرشًا وأنه أقبضه الثمن بما فيه جارية مشتري <4> بخمسة وستين غرشًا عوضه اياها من الثمن المزبور من مدة تزيد على ثلاثة أشهر وأنه الأن أطلع على أن رأسها به داء القرع وأن تمض <5> شعرها تستتر وأن ذلك عيب يوجب الرد وطالبه بردها بالعيب المزبور وسئل سؤاله عن ذلك.

أجاب بأنه باعه الجارية المزبورة <6> بالثمن المزبور وأنه قبض الثمن المذكور ما عدا سبعة غروش وأنه لم يطلع أن برأسها العيب المزبور وطال بينهما المنازعة والخاصمة <7> في ذلك فدخل بينهما جماعة بالصلح والإصلاح فاصطلحا على أن قطع الحاج سليمان المدعى المزبور سبعة غروش الباقية في ذمته <8> من ثمن الجارية المزبورة وأشهد على نفسه الحاج علي المدعي المذكور أنه أسقط حقه من دعوي في العيب المزبور ومن عيب بالجارية <9> المزبورة صلحًا شرعيًا وذلك بعد أن اعترف المدعى المذكور أنه وطِئَ الجارية المذكورة قبل اطلائه على العيب المزبور وعلى ما هو <10> الواقع.

سجل بتأريخ عشرين شهر المحرم الحرام من شهور سنة أربع وعسرين وألف.

مولانا الشيخ أبو // مولانا الشيخ محمد // مولانا الشيخ علي البكري // أبو النصر // كاتبه

سجل محكمة القدس رقم 96 – صفحة 97:

بالمجلس الشرعي المحرر المرعي أجله الله تع [93] لدي مولانا قدوة القضاة والحكام محرر القضايا والأحكام بالأحكام الحاكم الشرعي المولى عالم أفندي الموقع خطه الكريم <2> أعلى نظيره دام علاه.

أشهد عليه فخر الأقران حسن بن بهرم من متفرقة مصر المحروسة الطويل القامة الشائب اللحية وهو بحال يعتبر شرعًا أنه نجز عتق <3> مرقوقته المدعوة قمر بنت عبد الله روسية الجنس البيضاء اللون السوداء العينين المعترفة له بخالص الرق والعبودية <4> تنجيزًا شرعيًا طالبًا بذلك مرضاة الله العظيم وغربةً في قول النبي الكريم (من أعتق رقبة مؤمنة أعتق الله له بكل عضو عضوًا منه من النار حتى <5> الفرج بالفرج) [94] إشهادًا شرعيًا فبموجب ذلك صارت قمر المزبورة حرة من أحرار المسلمين لها ما لهم وعليها ما عليهم ليس

90 Arranged Chronologically according to Sijills' numbers.

91 تعالى.

92 ويقارن بصورة ردّ المشتري على البائع عند شمس الدين محمد بن أحمد المنهاجي الاسيوطي (821–880/1418–1485)، **جواهر العقود ومعين القضاة والموقعين والشهود** (القاهرة: مطبعة السنةالمحمدية، 1994)، 1: 131–132.

93 تعالى.

94 أبو بكر محمد بن عبد الله ابن العربي الأندلسي المالكي (468–543/1076–1148)، **أحكام القرآن** حققه محمد عبد القادر عطا (بيروت: دار الكتب العلمية 1424/2003)، 4: 401 (سورة البلد، 90: 11)؛ شمس الدين الاسيوطي، **جواهر العقود ومعين القضاة والموقعين والشهود**، 2: 529، 533.

لأحد عليها ولا ولا تكلم <6> إلا الولاء الشرعي. {95} وثبت العتق والتحرير لدي مولانا الحاكم المشار إليه ثبوتًا شرعيًا وحكم بموجبه حكمًا صحيحًا شرعيًا وأشهد عليه <7> بذلك في الخامس والعشرين من شهر المحرم سنة أربع وعشرين وألف

شيخ الإسلام الشيخ الغزي // الحاج حسن بن علي // مولانا الشيخ // مولانا الشيخ طه // الشيخ محمد الجاعوني // أبو الناصر // مصطفى

سجل محكمة القدس رقم 96 – صفحة 99:

هذه حجة صحيحة شرعية ووثيقة صريحة مرعية ناطقة بذكر ما وقع وتحرر بالمجلس الشرع العزيز بالقدس الشريف المطهر أجله الله تع {96} لدي مولانا <2> قدوة القضاة والحكام محرر الأحكام بالأحكام الحاكم الشرعي المولى عالم أفندي الموقع أعلى نظيره دام علاه.

اشترى فخر قضاة الإسلام ذخر ولاة <3> الأنام قدوة العلماء الأعلام مولانا زكريا أفندي المنفصل عن قضاء صيدا المحروسة ابن المرحوم المغفور له صدر المدرسين عين المصدرين الناجي ابن شيخ <4> المؤمنين نور الله مرقده بماله الخاص لنفسه الزكية دون غيره من فخر الأقران حجازي ابن المرحوم الحاج عيد البيطار {97} فباعه ما هو له وجار في ملكه وذلك جميع <5> العبد الحبشي الجنس البالغ العاقل الخالي العارضين يومئذ المعترف لبائعه بخالص الرق والعبودية الكائن في مبدأ أخرته أثر جراحة وبيده اليسرى <6> كي نار خلقه موقع بعنقه من الجانب الأيسر كي نار مطرق بيعًا صحيحًا شرعيًا لازمًا محررًا معتبرًا مرعيًا بثمن قدره ثلاثون غرشًا كل غرش ثلاثون قطعة مصرية <7> مالاً مقبوضًا بيد البائع بالحضرة والمعانية القبض الشرعي فيما يجب ذلك برئت ذمة المشتري المشار إليه من الثمن المرقوم ومن كل فبرأ منه البرأة الشرعية <8> بالطريق الشرعي برأة قبض واستيفاء وصدر البيع بيهما بانجاب شرعي وقبول مرعي وتسلم وتسليم صحيحة شرعية بعد الرؤية والمعرفة والمعاقدة <9> الشرعية والتفرق بالأبدان عن تراض بينهما وحيثما كان في ذلك من درك وتبعة فضمانه لازم حيث يجب شرعًا تصادقًا {98} <10> وثبت مضمون ذلك لدي مولانا الحاكم المشار إليه ثبوتًا شرعيًا وحكم بموجبه حكمًا صحيحًا شرعيًا مسؤ[و]لاً فيه بتأريخ خامس وعشرين <11> شهر المحرم الحرام سنة أربع وعشرين وألف.

مولانا الشيخ \\ مولانا الشيخ محمد \\ مولانا الشيخ أبو النصر \\ كاتبه

95 أبو الفداء إسماعيل ابن كثير الدمشقي الشافعي (701–774 /1301–1373)، **تحفة الطالب بمعرفة أحاديث مختصر ابن الحاجب** المحقق: عبد الغني بن حميد بن محمود الكبيسي (1416/1996)، 319 (رقم 263)؛ شهاب الدين أحمد ابن حجر العسقلاني الشافعي (٧٧٢–٨٥٢/١٣٧٢–١٤٤٩)، **بلوغ المرام من أدلة الأحكام** حققه أحمد بن سليمان (الرياض: مكتبة الرشد، 1426/ 2005) 273–274 (رقم 809)؛ شمس الدين الاسيوطي، **جواهر العقود ومعين القضاة والموقعين والشهود**، 2: 545.

96 تعالى.

97 ويظر عند محمود علي خليل عطا الله، **وثائق الطوائف الحرفية في القدس في القرن السابع عشر الميلادي** (نابلس: مركز التوثيق والمخطوطات، 1992)،

98 وهذه الجملة من شروط عقود البيع والأجارة. وينظر شمس الدين الاسيوطي، **جواهر العقود ومعين القضاة والموقعين والشهود**، 1:282–281.

سجل محكمة القدس رقم 96 صحيفة 225

بالمجلس الشرعي المحرر المرعي أجله الله تع {99} لدي مولانا قدوة النواب وزبدة العلماء ذوي الألباب الحاكم الشرعي الحنبلي المولى الشيخ إسحق (!) الخريش[ي] {100} الموقع أعلى نظيره دام علاه. <2> لدي مولانا شيخ الإسلام أعلم العلماء الأعلام صدر المحققين الكرام مفتي السادة الشافعية الفخام مولانا الشيخ اسحق {101} ابن المرحوم المغفور له شيخ الإسلام والمسلمين <3> مولانا الشيخ عمر سراج الدين بن أبي اللطف {102} وقال في تقرير دعواه أنه كان سابقًا على تأريخه قد اشترى من الرجل المدعو محمد المهتدي المقهوي جارية بيضاء <4> تدعى ياسمين بثمانين غرشًا وأنه دفع له الثمن وتسلم الجارية المزبورة وأنه أطلع على عيب قديم بالجارية المزبورة يوجب الرد شرعًا وهو داء الاسد وأنه حين <5> اطلاعه على العيب المزبور استخار فسخ البيع الصادر في الجارية المزبورة وأنه استدعى البائع المزبور المدعى من إقامته بنابلوس (!) بمراسلة من قاضي <6> القدس الشريف ليحضر إلى القدس الشريف لسماع الدعوى فامتنع من الحضور. وطلب من مولانا الحاكم المشار إليه أن يسمع دعواه ويعمل قضيته عل قاعدة <7> مذهبه الشريف من جواز سماع الدعوى على الغائب الممتنع عن الحضور وإن كان محله دون مسافة القصر. فضد ذلك طلب مولانا الحاكم المشار إليه من مولانا <8> شيخ الإسلام الشيخ إسحق (!) المدعى المزبور بنية شرعية يشهد بما ادعاه من العيب بالجارية المزبورة ليتمكن من سماع الدعوى على قاعدة مذهبهما الشريف. فأحضر كل <9> واحد من المعلم يونس ابن المعلم محمد المزين وولده الحاج إبراهيم وهما من الأطباء والجراحين {103} بالقدس الشريف وشهدَا عن الاستشهاد والذعن بأن ياسمين بنت عبد الله <10> الحاضرة بالمجلس والمشار إليها بالشهادة بها داء الأسد بيدها اليسرى واشارة بوجهها وحاجبيها وأن ذلك عيب قديم بياسمين المزبورة وأخضر <11> أيضًا الحرمة المدعوة زينب بنت محمد الهندي إحدى القوابل بالقدس الشريف وشهدت غير الاستنهاد الشرعي بما لا يطلع عليه إلا النساء أنها رأت <12> بفرج ياسمين المذكورة وأنه عيب قديم يوجب الرد شرعًا وينقص الثمن عند التجار شهادة شرعية.

فقبل مولانا المشار إليه <13> شهادتهم بذلك بعد التزكية الشرعية فأخذ ما قامت به البينة الشرعية لدي مولانا الحاكم المشار إليه ثبوتًا شرعيًا المدعي المشار إليه <14> فاختار فسخ عقد البيع الصادر في الجارية المزبورة والله نفسه الكريمة بذلك وساءل مولانا الحاكم المشار إليه الحكم بموجب ذلك فحكم أيد <15> الله تع أحكام بصحة فسخ عقد البيع الصادر في الجارية المزبورة ومن على وبردها على بائعها المزبور بالسبب المزبور وبالرجوع بالثمن المزبور حكمًا شرعيًا <16> على قاعدة مذهبه الشريف. وأبقى الجارية المزبورة تحت يد المدعي المشار إليه ليحفظها بطريق الأمانة إلى أن يحضر البائع المزبور أو وكيله <17> ويستوفي منه نظير الثمن المزبور أبقاه شرعيًا تحريرًا في عشرين شهر ربيع الثاني سنة أربع وعشرين وألف. انتهى.

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99 تعالى.

100 (توفي 1035). محب الدين أبو بكر المحبي الدمشقي (1061–1111/1651–1699)، **خلاصة الأثر في أعيان القرن الحادي عشر** (1290/1873 طبع مجددًا بيروت: مكتبة خياط، 1966) 1: 394؛ محمد بن عبد الله ابن حميد الحنبلي النجدي (1236–1295/1820–1878)، **السحب الوابلة على ضرائح الحنابلة**؛ 1: 282–283 (رقم 170).

101 المحبي الدمشقي، **خلاصة الأثر في أعيان القرن الحادي عشر**، 1: 394.

102 المقدسي (940–1003/1533–1594). وينظر عليه عند نجم الدين محمد الغزي الشافعي (977–1061\1570–1651)، **لطف السمر** (دمشق) 2: 584–585 (رقم 233)؛ خير الدين الزركلي، **الأعلام: قاموس تراجم** (بيروت: دار العلم للملايين، 2002) 4: 64.

103 ويظر عند عطا الله، **وثائق الطوائف الحرفية في القدس.**

سجل محكمة القدس رقم 96 صحيفة 266

بالمجلس الشرعي المحرر المرعي أجله الله تع {104} لدي مولانا قدوة القضاة والحكام محرر الأحكام بالأحكام الحاكم الشرعي المولى مصطفى أفندي الموقع أعلى نظيره دام علاه.

<2> أشهد عليه فخر الأقران سيدي علي بن يوسف الترجمان اشهادًا شرعيًا وهو بالأوصاف المعتبرة شرعًا أنه عتق مرقوقه مبارك بن عبد الله الأسمر اللون المعتدل القامة <3> الذي بوجهه أثر جراحة المعترف لسيده بخالص الرق والعبودية رجاءً ثواب الله العظيم وهربًا من عقابه الأليم وعملا لحديث النبي الكرام (من أعتق رقبة مؤمنةً <4> اعتق الله بكل عضو منها عضوا منه من النار) {105} فبموجب ذلك صار مبارك المزبور حرًا من أحرار المسلمين له ما لهم وعليه ما عليهم ليس لأحد عليه ولا إلا الولاء الشرعي الثابت <5> للموالي على المعتوقين وعلى ما هو الواقع. سطر وجرى ذلك وحرر في ثالث عشرين شهر جمادى الأولى سنة أربع وعشرين وألف.

الشيخ محمد الجاعوني \\ مولانا مصطفى طلبي العلمي \\ الشيخ طه الديري \\ أبو النصر كاتبه

سجل محكمة القدس رقم 107 ص 463

<1> هو أنه أشهد على نفسه فخر أقرانه علي بشه (!) {106} بن عبد الله من الينكرية {107} بالباب العالي أنه نجز عتق أم ولده كولستان (Gülistan) بنت عبد لله الرومية <2> الجنس البيضى (!) {108} اللون التي كان زوّجها من نحو أسبع (!) {109} سابق على تأريخه من الشاب السعيد سيدي أحمد بن قدوة الصلحاء الشيخ حسين <3> ابن طيب بما في ذلك من الولاية الشرعية تنجيزًا شرعيًا ابتغاء لوجه الله الكريم وطلبًا لثوابه العميم (في يوم يجزي الله المتصدقين) {110} <4> (ولا يضيع أجر المحسنين) {111} وبموجب ذلك صارت كولستان المرقوقة حرة من أحرار المسلمين لها ما لهم وعليها ما عليهم [ولا ولاء إلا الولاء الشرعي] {112} <5> أجر المعتق عنقها لوجه الله الكريم. {113}

وجرى ذلك وحرر في سادس عشري شهر جمادى الأول من شهور سنة ثلاث وثلاثين وألف من الهجرة الشريفة

شيخ الإسلام الشيخ زكريا // الشيخ فخر الدين المغربي // الشيخ علي بن فتيان // [ال]شيخ عبد الرحمان ابن قاضي // الشيخ شمس الدين // الشيخ خليل // الشيخ أحمد الحاميدي

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104 تعالى.

105 ابو الحسين مسلم بن الحجاج النيسابوري (206–261/810–875)، **صحيح مسلم** حققه أبو قتيبة الفرابابي (الرياض، 1426/ 2005)، 2: 705 (حديث رقم 1509 (3796–3797). ؛

106 باشا.

107 إنكشارية (يكيچرى ؛Yeniçeri)

108 بيضاء.

109 أسبوع.

110 ويقارن بسورة يوسف 12: 88.

111 سورة يوسف 12: 90؛ وهذه عبارة شائعة في كتب الوقف ويقارن بكلام شهاب الدين أحمد القرافي (626–684/1228–1285) ، **الذخيرة** احققوها محمد حجي وسعيد أعراب ومحمد بو خبزة (بيروت: دار الغرب الإسلامي، 1994)، 10: 422؛ محمد عثمان الخطيب، **الاوقاف الإسلامية في فلسطين في العصر المملوكي** (جامعة اليرموك، 1427/2007)، 179.

112 وينظر عند كمال الدين محمد ابن الهمام القاهري الحنفي (790–861/1388–1457)، **فتح القدير للعاجز الفقير** (بيروت: دار الكتب العلمية، 1424/2003)، 9: 233.

113 وينظر عند شهاب الدين أبو العباس أحمد القرافي (626–684/1228–1285)، **الذخيرة** المحققون: محمد حجي وسعيد أعراب ومحمد بو خبزة (بيروت: دار الغرب الإسلامي، 1994)، 10: 405.

سجل محكمة القدس رقم 107 ص. 486

<1> سبب تحرير الحروف [هو أنه] بالمجلس الشرع الشريف بالقدس العلي المبارك أجله الله تعالى وعظمه وحماه وكرمه لدي الحاكم الشرعي المولى <2> مولانا الشيخ محمد عوني بالقدس الشريف الموقع خطه الكريم أعلى نظيره بلغ فيمنان (؟). هو أنه <3> فخر الصلحاء عبد الله بن يعقوب الرومي وهو الوكيل الشرعي في ذلك وفي المكاتبة والاشهاد وعلى الرسم المقيم <4> عن قبل حضرت (!) {114} أمير الأمراء الكرام كبير الكبراء صاحب المجد والاحترام ذيل الوقار والاختتام <5> مولانا مجهد باشا المتقاعد بمدينة القدس كان الله تعا[لى] له في كل زمان ومكان الثابت توكيله له بذلك <6> لشهادة فخر أقرانه مصطفى بن محمد بلوك باشي بقلعة مدينة القدس الشريف وفخر أمثاله أبي النصر بن عمرو <7> شرعيًا بأن موكله محمد باشا المشار إليه قد نجز يوم تأريخه عتق مرقوقته المدعوة مرجانة بنت عبد الله السوداء اللون تنجيزًا وعتقًا شرعيًا وأن مرجانة المذكورة صارت بموجب ذلك ومضيته حرة من أحرار <8> المسلمين لها ما لهم وعليها ما عليهم ليس لأحد عليها ولاء ولا يد إلا الولاء الشرعي الثابت لمعتقها شرعًيا وأنه <9> عتقها لوجه الله تعالى الكريم وابتغاء لثوابه الجسيم وثبت ذلك كله لدي الحاكم الشرعي المشار إليه ثبوتًا شرعيًا بحضرة <10> شهوده أدانه تحريرًا برابع عشر شهر جمادى الثاني من شهود سنة ثلاث وثلاثين وألف.

الشيخ طه الديري // الشيخ مصطفى العلمي // الشيخ صالح الدهان // الشيخ هبة الله الديري // الخواجة محمد القهوجي

سجل محكمة القدس رقم 119 ص. 2 (عتق جارية)

بسم الله الرحمن الرحيم أللهم أني أسألك اللطف في القضاءِ والقَدَر

<2> يوم السبت غرة شهر رجب المفرد الحرام لسنة احدى وأربعين وألف أحسن

<3> الحمد لله الذي أنزل على عبده الكتاب {115} وأمَرَ بعتق الرقاب والصلوة والسلام على سيدنا محمد المبعوث <4> إلى كافة الخلائق من غير شك ولا ارتياب وعلى الآل والأحباب والأتباع صلاة وسلامًا دائمين <5> إلى يوم المآب. {116}

وبعد

هو أنه بمجلس الشريعة المطهرة العزاء ومحفل الطريقة المنيرة الزهراء بمحروسة القدس المطهرة <6> عن التدنيس ومحال الأميري وموطن التقديس لدي مولانا وسيدنا العلامة الكبير العامل النحرير محرر دقائق التفسير <7> مقرر قواعده أحسن تقرير أقضى قضاة الإسلام أولى ولاة الأنام معدن العلم والكلام وارث علوم الأنبياء <8> الكرام سند الموالي العظام صدر أساطين العلماءِ مميز الحلال عن الحرام قاضي النقض والإبرام <9> شيخ مشائخ الإسلام العلامة العامل الفاضل الكامل الفاصل بين الحق والباطن الحاكم الشرعي المولى المولي <10> مولانا محمد أفندي بن إسماعيل القاضي بالقدس الشريف الموقع خطه الكريم بأعالى نظيره دام فضله ةعلاه.

<11> أشهدت على نفسها الكريمة المعطوفة الرحيمة فخر المخيرات أكليلة المحصينات الكاملة المصونة والدرة المكنونة <12> ذات الحجاب الرفيع والستر الكامل المنيع الست رقية رقّاها الله في درجات الثواب إلى أعلا المراقي <13> وصان حجابها بستره الكافي الوافي ابنة المولى الأعلم والهمام الأفخر صدر الموالي بدر سماءِ المعالي المرحوم المدارج <14> إلى رحمة ربه المغفور المولى رضوان أفندي القاضي سابقًا بالمصر

114 حضرة.
115 يشير إلى سورة الكهف 18: 1.
116 يشير إلى سورة النبأ 78: 39.

المحروس أنار الله ضريحه وجعله بالسعادة <15> المولى الموقع بأعالى سطر هذا الكتاب أنها عتقت جاريتها ومملوكتها المعترفة بخالص الرق والعبودية <17> حاملة هذا الكتاب الشرعي المدعوة رفتار بنت عبد الله البيضا[ء] اللون الطويلة القامة الشهلاء بالعينين <18> الفرقاء الحاجبين الروسية الجنس رجاءً للثواب من رب الأرباب وحسبة الله العظيم وطلبا لمرضاه الرب الكريم <19> وعملاً بقول النبي المختار (من اعتق رقبة مؤمنة أعتق الله بكل عضو منها عضوا منه من النار) اشهادًا شرعيًا <20> وبموجب ذلك صارت رفتار المزبورة حرة من أحرار المسلمات لها ما لهن وعليها ما عليهن ليس لأحد عليها كلمة ولا ولاء <21> إلا الولاء الشرعي الثابت للموالي على عتقاهم.

وثبت مضمون ذلك لدي مولانا الحاكم المشار إليه خلد الله النعم عليه ثبوتًا شرعيًا تحريرًا في غرة شهر رجب المفرد الحرام لإحدى وأربعين وألف.

مولانا الشيخ مصطفى // مولانا الششيخ سليمان // مولانا الشيخ زكريا أفندي // مولانا الشيخ صالح الدهان // كاتبه الفقير طه الديري // عبد الرحمن أفندي

سجلّ محكمة القدس الشرعية رقم 136 ص. 339 (رجب 1056/1646)

لدي قدوة قضاة الإسلام الحاكم الشرعي عبد الرحمن شناسبي {117} الموقع أعلاه نظيره دام علاه.

<2> أقر واعترف الرجل المدعو إبراهيم بن حسن الرومي وهو بحال الصحة والسلامة والطواعية والاختيار {118} من غير إكراه له في ذلك ولا <3> إجبار أنه قبض من علي بيك بن عثمان الرومي الحاضر معه بالمجلس الشرعي مبلغًا قدره خمسة وثمانون غرشًا وذلك ثمن الجارية الحبشية <4> التي كان اشتراها علي بيك المزبور منه سابقًا وأنه لم يبق يستحق ولا يستوجب قبل علي بيك المزبور أي نية بسبب ذلك حقًا ولا استحقاقًا <5> ولا دعوى ولا طلبًا ولا حقًا مطلقًا لما مضى من الزمان وإلى يوم تأريخه إقرارًا واعترافًا صحيحين شرعيين مصدقين من علي بيك <6> المزبور التصديق الشرعي وصادق علي ذلك كذلك.

وثبت مضمون ذلك لدي مولانا الحاكم الشرعي المشار إليه خلّد الله النعمة عليه <7> ثبوتًا شرعيًا تحريرًا في غرة شعبان المبارك لسنة ست وخمسين وألف.

سجلّ محكمة القدس رقم 150 ص. 333 (شِراء جارية)

<1> لدي مولانا وسيدنا قدوة المدرسين الكرام عين العلماء الأعلام سلالة الموالي العظام محرر القضايا والأحكام بالأحكام الحاكم الشرعي المولى عبد الباقي أفندي الحنفي {119} الموقع خطه الكريم <2> بأعالي دامت فضائله ومعاليه.

اشترى فخر السادات السيد صلاح الدين [بن] المرحوم السيد علي الخصيبي المشهور بنسبه الكريم بالصمادي {120} وهو الوصي الشرعي على ابن عمه السيد <3> فخر الإسلام بن السيد محمود المعتوه للسيد فخر الاسلام المعتوه المزبور وبمال المعتوه المزبور دون غيره ماله وبإذن مولانا الحاكم الشرعي المشار إليه للسيد صلاح <4> الدين المزبور بالشراء المزبور من الرجل المدعى محمد بن حرب الجيوسي فباعه للمعتوه المزبور ما هو لـلبائع المزبور وذلك جميع الجارية السمرا[ء] المدعوة <5> سعيدة الحاضرة بالمجلس

117 (Şinasi) بالتركي من اللغة الفارسية شِناسي ومعنه علم أو واسع الإطّلاع.

118 وبالمخطوط: الاخييار

119 الحسيني في ابراهيم ربايعة، **بنك معلومات القدس <سجلات محكمة القدس الشرعية** سجل رقم 150 (20 ذو القعدة 1054– 19 ذو الحجة 1065\\ 2.10.1654–20.10.1655> (نابلس: جامعة النجاح 2011).

120 الخصيبي عدد مرات عند ابراهيم ربايعة، **بنك معلومات القدس.**

والمعترفة لبائعها المزبور بخالص الرق والعبودية بثمن قدره خمسون غرشًا أسديًا ثمنًا حالاً مقبوضًا بيد البائع المزبور بالحضرة <6> والمعاينة القبض الشرعي بموجب ذلك برئت ذمة من المشتري الوصي المزبور من جميع الثمن المرقوم ومن كل جزء منه البراء الشرعية بالطريق الشرعي <7> برأة قبض واستيفاء وصدر البيع بينهما في ذلك بإيجاب شرعي وقبول مرعي وسلم تسليمًا صحيحين شرعيين بعد الرؤية والمعرفة والمعاقدة الشرعية والتفرق <8> بالأبدان عن تراضٍ منهما وحسبما كان في ذلك من درك وتبعة فضمانه لازم حيث يجب شرعًا وذلك بعد أن حضر الشيخ صالح بنٍ عقبة الوكيل الشرعي <9> عن الحرمة بنوبة بنت ياسين [بن] عقبة والدة فخر الإسلام المعتوه المزبور والناظرة على ولدها المزبور وطلب شراء الجارية المزبورة للسيد فخر الإسلام المعتوه <10> المزبور لتخدمه وتقوم بمصالحته وتتعاطي كل أشرابه وطبخ طعام.

وتسلم الشيخ صالح الوكيل المزبور لموكلته بنوبة المزبورة الجارية المزبور[ة] لتستقر عند والدة المعتوه <11> المزبور وذلك بمعرفة السيد يحيى الناظر أيضًا على المعتوه المزبور وصرف الوصي المزبور في رسم هذه الحجة وأجرة الدلالة غرشين ونصف غرش. وذكر السيد صلاح الدين المزبور <12> أن ثمن الجارية خمسين غرشا وما صرفه في رسم هذه الحجة من المبلغ الذي قبضه من خليل بن قميع وكان مرتبا بذمته للمعتوة (!) {121} المزبور وصادق على ذلك كذلك. وثبت <13> مضمون ذلك لدي مولانا وسيدنا الحاكم الشرعي المشار إليه خلد الله النعم عليه ثبوتًا شرعيًا. تحرر في خامس عشر شهر رمضان المبارك والعظم سنة خمس وستين وألف

الشيخ مصطفى \\ الشيخ سلمان

سجلّ محكمة القدس رقم 150 ص. 357 (شوال 1065/1655)

<1> سبب تحرير الحروف هو أنه بالمجلس الشرعي المحرر المرعي أجله الله تعالى لدي مولانا وسيدنا قدوة المدرسين الكرام عين العلماء الأعلام سلالة الموالي العظام فخر الموقعين الفخام محرر <2> القضايا والأحكام بالأحكام الحاكم الشرعي المولى عبد الباقي أفندي الحنفي {122} الموقع خطه الكريم بأعالي دامت فضائله ومعاليه.

وبعد أن

أقر الحاج سليمان بن رمضان وهو<3> يقرر ما يقول وينفي ما يقال له إن في ذمته صحيح شرعي للحاج حسين بن علي الرومي الحاضر بالمجلس مبلغًا قدره ثمانون غرشًا أسديًا اقرارًا شرعيًا <4> باع الحاج سليمان المزبور للحاج حسين المزبور وهو اشترى منه ما هو للحاج سليمان المزبور وذلك جميع الجارية البيضاء الجركسية الجنس <5> وولدها الصغير الرضيع بثمن قدره ثمانون غرشًا أسديًا البايع المزبور بالثمن المزبور وهو الثمانون غرشًا المزبورين الموافق ذلك<6> شرعية صدرت بينهما بالطريق الشرعي بموجب ذلك ذمة البائع المزبور منه الثمانون غرشًا وذمة المشتري المزبور من الثمن المرقوم البراء الشرعية <7> بالطريق الشرعي صحيحين شرعين بعد الرؤية والمعرفة والمعاقدة الشرعية والتفرق <8> بالأبدان عن تراضٍ منهما {123} وحيثما كان في ذلك من درك وتبعة فضمانه لازم حيث يجب شرعًا. <9> خلد الله عليه ثبوتًا شرعيًا تحرير في ثلاث عشر شهر شوال لسنة خمس وسبعين وألف.

الشيخ زكريا أفندي \\ الشيخ مصطفى الدجاني \\ الشيخ عفيف الدين \\ الشيخ الله الديري

121 اقرأ للمعتوه.

122 الحسيني في ابراهيم ربايعة، **بنك معلومات القدس.**

123 شامخ زكريا علاونه، **سجلات محكمة القدس الشرعية:** سجل رقم 172 (1081–1083هج/1670–1672م)، 18.

سجلّ محكمة القدس رقم 150 ص. 380 (وثيقة رقم 2)

<1> لدي مولانا وسيدنا قدوة القضاة والحكام محرر القضايا والأحكام بالأحكام عمدة العلماء الأعلام الحاكم الشرعي المولى صالح أفندي الموقع <2> خطه الكريم بأعالى نظيره دامت فضائله ومعاليه.

لما كان سابقًا على تأريخه أدناه اشترى فخر السادات المكرمين السيد صلاح الدين <3> بن المرحوم السيد علي الخصيبي المشهور بنسبه المبارك بابن الصمادي وهو الوصي الشرعي على [ا]بن عمه السيد فخر الإسلام المعتوه بن المرحوم السيد محمود الصمادي <4> المزبور وبمال المعتوه المزبو[ر] جارية سمراء تدعى سعيدة لتخدم السيد فخر الإسلام المزبور بطلب والدة السيد فخر الإسلام المرقوم المدعوة بنوبة بنت <5> ياسين بن عقبة الناظرة على ولدها المذكور وأمر مولانا الحاكم الشرعي له بذلك بثمن قدره خمسون غرشًا أسدية وغرشان ونصف غرش <6> في رسم حجة البيع ودلالئه بموجب حجة الإذن والشراء للجارية المزبورة المؤرخة في يوم الخامس عشر من شهر رمضان المعظم قدره لسنة تأريخه.

ثم <7> إن الجارية المزبورة ظهر أنها لا تمتثل أمر سيدها ولا تصلح للخدمة [و]فرّت من عند سيدها المزبور واختفت مدة ثلاثة أيام لا يعلم مقرها <8> وإن الوصي المزبور جعل لمن يحضرها ست غروش. فاحضرت بعد غيبتها وفرارها من عند سيدها وطلب السيد صلاح الدين الوصي <9> المزبور من مولانا الحاكم الشرعي أن يأذن له ببيعها لمن يرغب في شرائها لئلّا تفرّ لمدة أخرى ويحصل للمعتوه المزبور عذر بسبب ذلك <10> ويتقدم ثمنها. فأذن له مولانا الحاكم الشرعي المشار إليه بيعها إذنًا مقبولاً.

فعند ذلك باع السيد صلاح الدين الوصي المزبور الجارية <11> السمراء المدعوة سعيدة للأمير محمد بن الأمير طرباي من عرب الحراثة وهو اشترى منه بماله لنفسه دون غيره سعيدة الجارية المزبورة المعلومة <12> عندهما العلم الشرعي النفي للجهالة شرعًا بثمن قدره خمسة وثلاثون غرشًا أسدية ثمنًا مؤجلاً على المشتري المزبور إلى غرة صفر الخير بسنة ست <13> وستين وألف. وصدر البيع بينهما في ذلك بإيجاب شرعي وقبول مرعي وتسلم وتسليم صحيحين شرعيين بعد الرؤية والمعرفة والمعاقدة الشرعية <14> والتفرق بالأبدان عن تراضٍ منهما وحسبما كان في ذلك من درك وتبعة فضمانه لازم حيث يجب شرعًا.

ثم بعد تمام ذلك ولزوم به أحال الأمير محمد طرباي <15> السيد صلاح الدين البائع المرقوم الوصي المذكور على فخر أقرانه علي بك بن المرحوم محمد بك المعروف بابن باي السباهي بالقدس الشريف الحاضر معهما <16> بالمجلس الشرعي بالمبلغ المزبور وقدره من غير تكرار خمسة وثلاثون غرشًا أسديًا نظيرها في ذمته على ذلك المحال عليه للأمير محمد المشتري المزبور عن الحصان <17> الذي اشتراها علي منه بمبلغ قدره خمسة وثلاثون غرشًا أسديًا المؤجل على علي بك المزبور إلى غيرة صفر الخير لسنة ست وستين وألف<18> حوالة شرعية مقبولة من كل من المحيل والمحال عليه فيقبض ذلك ظهر من مال السيد فخر الإسلام المعتوه نقض في ثمن الجارية وفيما كان <19> جعلا لتحصيل الجارية ولرسم حجة المبيع ودلالية ثلاثة وعشرون غرشًا ونصف غرش. تصادقا على ذلك كذلك وثبت مضمون ذلك. <20> سجله لدي مولانا الحاكم الشرعي المشار إليه خلد الله عليه النعم بثبوت شرعيًا تحريرًا في سادس ذي القعدة الحرام سنة خمسة وستين وألف.

سجل محكمة القدس الشرعية رقم 152 ص. 4 (مسألة 3: تحرير رقبة جارية صفر 1067)

لدي مولانا وسيدنا قدوة قضاة الإسلام ذخر ولاة الأنام عمدة الموالي العلام سيدنا المعالي الفخام الحاكم الشرعي المولى أبو البركات محمد بن شرف الدين الخالدي <2> الموقع خطه الكريم بأعالي نظيره دامت فضائله ومعالئه.

أقرت وأعرفت الحرمة المدعوة بالحاجة فرحة بنت الحاج نور الدين الزابلي وعرفت <3> لشهوده اخره الحاج محمد بن الحاج بن عيد بن بها شرعًا تعريفًا شرعيًا بأنها كانت في شهر ربيع الثاني سنة ثلاث وستون

<4> نجزت عتق مرقوقتها فائدة بنت عبد الله السمراء اللون القرداوية (Kordofan) الأصل المتعرفة لسيدتها المزبورة بالرق والعبودية إبتغاءً لوجه الله <5> الكريم وطمعًا في رضاته وعملاً بقوله صلى الله عليه وسلم (من اعتق رقبة مؤمنة أعتق الله بكل عضو منها عضوا منه من النار حتى الفرج بالفرج) {124} <6> اقرارًا شرعيًا فبموجب ذلك صارت فائدة المزبورة حرة من أحرار المسلمين ليس لأحد عليها ولاء إلا الولاء الشرعي تحريرًا <7> ربيع عشر صفر الخير من شهور سنة سبع وستين وألف.

سجل محكمة القدس الشرعية رقم 152 ص. 565 (مسألة رقم 3)

اشترى فخر التجار المكرمين الخواجه يحيي بن المرحوم عبد الرحمن ابن عون بماله لنفسه دون غيره من البائع الشيخ أحمد بن عبد الحاكم الخليلي الوصي على ابنات شرف الدين أغا <2> الماجر فباعه ما هو مخلف عن شرف الدين أغا وذلك جميع الجارية السمراء المدعوه شغراء بثمن قدره سبعون غرشًا مقبوضة بيد الوصي المزبور وهي إرثًا <3> من المرحوم الخوجه (!) {125} عبد الرحمن الوكيل عن بنات شرف الدين أغا القبض الشرعي بالحضرة والمعانية

الشيخ عفيف الدين \\ الشيخ مصطفى الدجاني \\ الشيخ نصر الدين

سجل رقم 155 ص. 1

سبب تحرير الحروف هو أنه بالمجلس الشرعي المحرر المرعي أجله الله تعالى لدي مولانا وسيدنا افتخار الموالي العظام عمدة المدرسين الفخام خلاصة العلماء الأعلام <2> جلال ولاة الأنام الحاكم الشرعي المولى أبو البركات محمد شرف الدين أفندي الخالدي الموقع خطه الكريم بأعالى نظيره دامت فضائله ومعاليه حضر فخر السادات <3> السيد اسحق الوفائي الحسيني {126} وحضرت الجارية المدعوة مرجانة ابنة (!) عبد الله معتقة زوجة الشيخ محمد بن الشيخ يحيى وطلب من مولانا الحاكم الشرعي المشار إليه <4> أن ينه عليها بأن لا تدخل داره و[لا] تسكن عنده فأحضر مولانا الحاكم الشرعي المشار إليه مُرجانة المذكورة وصد [وشهد] عليها بأن لا تسكن معه ولا تدخل <5> داره. شهدًا شرعيًا مقبولاً منها الأصول الشرعي تحريرًا في أواسط شهر صفر لسنة ثماني وستين وألف. {127}

الشيخ الدجاني \\ الشيخ شرف الدين \\ الشيخ نور الدين \\ الشيخ عبد الله \\ الشيخ فتح الله \\ الشيخ خير الله

124 جمال الدين أبو محمد عبد الله بن يوسف الزيلعي الحنفي (762/1360)، **نصب الراية لأحاديث الهداية** حققه محمد عوامة (بيروت: مؤسسة الريان، 1418/1997)، 3: 277 (حديث 5259)؛ نور الدين أبو الحسن علي القاري الحنفي (1014\1605)، **مرقاة المفاتيح شرح مشكاة المصابيح** [لمحمد الخطيب التبريزي] (بيروت: دار الكتب العلمية، 1422/2001)، 6: 498 (حديث 3382).

125 الخواجه.

126 وينظر رويدة فضل أحمد، **المدرسة الصلاحية في القدس** (جامعة النجاح، 2015)، 152 (رقم 48).

127 ابراهيم ربايعة، **سجل محكمة القدس الشرعية: سجل رقم** 155 (محرم 1068-ختام ذي القعدة 1068هج / تشرين الأول 1657–29 اب 1658م) (رام الله 1434\2013).

سجلّ 156 ص. 306 (جمادى الثاني 1069/1659)

<1> سبب تحرير الحروف هو أنه بالمجلس الشرعي المحرر المرعي أجله الله تعالى لدي مولانا وسيدنا العبد الفقير إليه سبحانه اللآمل منه منه {128} وإحسانه <2> الراجي عفوه وغفرانه افتخار قضاة الإسلام ذخر ولاة الأنام عمدة العلماء والمدرسين العظام سند الموالي بدر سماء المعالي الحاكم الشرعي <3> المولى أبو البركات شرف الدين الخالدي الموقع خطه الكريم بأعالي نظيره دامت فضائله ومعاليه حضرت فائدة بنت عبد الله <4> السمراء اللون بحضور فخر الاتقياء الشيخ حميدان ابن المرحوم الشيخ محمد الداؤدي الوكيل الشرعي المطلق عن قبل فخر المحررات <5> الست نور الهدى بنت المرحوم الشيخ أحمد الداؤدي التي كانت زوجًا للمرحوم قدوة العلماء العاملين الشيخ أحمد الحامدي.

وأدعت فايدة المزبورة <6> وعرف بها فخر الأتقياء الشيخ نجم الدين ابن المرحوم الشيخ أحمد الداؤدي التعريف الشرعي على الشيخ حميدان المزبور قائلة في تقرير دعواها عليه أنها كانت <7> مرقوقة لسيدها الشيخ أحمد الحامدي ومتعرفة له بالرق وبالعبودية وأن سيدها المزبور كان في حال حياته قبل وفاته دبرها [و] وعد أن تكون <8> بعد موته حرة معتقة إبتغاء لوجه الله تعالى وأن سيدنا الشيخ أحمد المرقوم مات وبموته عتقها وأن المدعى عليه المزبور معارضها في ذلك بغير طريق <9> شرعي وسألت جوابه عن ذلك يسئل فأجاب بالإنكار لذلك كله فطلب من المدعية بينة تشهد لها بطبق دعوها فأحضرت كل واحد قدوة اللأئمة <10> والعلماء الأعلام الفضلاء الفخام مولانا الشيخ سليمان بن المرحوم قدوة الصلحاء العاملين الشيخ أبي الداؤدي وقدوة <11> المدرسين مصطفى بن إسحف الدجاني وشهدا بعد أن استشهدا بأن المدعية <12> كانت مرقوقة لسيدها الشيخ أحمد المتوفي المرقوم ومتعرف له بخالص الرق والعبودية وأن سيدها المرقوم كان في حال حياته قبل وفاته <13> وهو بحال يعتبر شرعًا دبرها ووعد أن تكون بعد موته معتقة وحرة ابتغاء لوجه الله تعالى وأنه أقر بذلك بحضورهما وبهما وأن سيدها <14> الأن مات وتنجز عتقها بموته شهادةً صحيحةً شرعيةً

سجلّ 156 ص. 436 (عِتق رقيق) {129}

<1> الحمد لله الذي أنزل على عبده الكتاب {130} وأمر بعتق الرقاب والصلوٰة والسلام على سيدنا محمّد المبعوث إلى كافة الخلائق من غير شك ولا ارتياب وعلى الآل والأصحاب <2> والاتباع والأحباب صلاة وسلامًا دائمين إلى يوم المآب. {131}

وبعد هو أنه بمجلس الشريعة الشريفة الغراء ومحفل الطريقة المنيرة الزهراء بمحروسة القدس الشريف والمعبد العالي <3> المنيف أجله الله تعالى لدي مولانا وسيدنا العبد الفقير إليه سبحانه الراجي عفوه وغفرانه الآمل منه وإحسانه افتخار القضاة والمدرسين عمدة العلماء العاملين زبدة <4> النحاة والأصوليين حلال مشكلات الدين الحاكم الشرعي المولى إبراهيم أفندي الموقع خطه الكريم بأعاله دامت فضائله ومعاليه.

حضَر فخر أقرانه وزين خلانه علي أغا <5> ابن زين خلانه ذي الفقار الرومي وأشهد عليه وهو بحال الصحة السلامة والطواعية والإختيار أنه عتق مرقوقه المعترف له بخلاص الرق والعبودية المدعو قره علي <6> ابن عبد الله الأسمر اللون النورابي الجنس الطويل القامة الحاضر معه بالمجلس الشرعي رجاءً للثواب من رب الا حسنه لله العظيم وطلبًا لمرضاة الرب الكريم <7> وعملاً بقول النبي المختار (من اعتق رقبة مؤمنة

128 اقرأ مَنَّهُ مِنْهُ

129 سجل **محكمة القدس الشرعية رقم** 156 ص 436 قضية رقم 1. وينظر عند ابراهيم رابعة، **سجلات محكمة القدس الشرعية** سجل رقم 156 (14 ذي القعدة 1068هج/13 آب 1658م – 20 ربيع ثاني 1070/4 كانون الثاني 1660)، (نابلس 1433 \2012)

130 القرآن الكهف، 18: 1.

131 ويقارن سورة ص، 38: 25.

أعتق الله بكل عضو منها عضوا منه من النار) {132} إشهادًا شرعيًا بموجَب ذلك صار قاره علي حرًّا من أحر المسلمين <8> له ما لهم وعليه ما عليهم عليهم ليس لأحد عليه ولا ولاية إلا الولاء الشرعي الثابت للموالي على عتقاهم. {133}

وثبتَ مضمون ذلك لدي مولانا وسيّدنا الحاكم الشرعي المشار <9> إليه خلد الله النعم عليه ثبوتًا شرعيًا تامًا محررًا معتبرًا مرعيًا واعتبارًا لما وجب اعتباره شرعًا {134} محررًا في اليوم الثاني والعشرين من شهر ذي القعدة الحرام من شهور سنة <10> تسع وستين وألف.

<11> مولانا الشيخ زكريا الديري // مولانا اشيخ عضد الدين الديري // مولانا الشيخ نور الدين الشافعي // مولانا الشيخ خليل الديري // مولانا الشيح علي // مولانا الشيخ محب الله // مولانا الشيخ فتح الله // مولانا الشيخ إبراهيم الحاج شاهين

سجلّ 156 ص. 540 (مسألة رقم 2: فائدة الجارية السمراء)

<1> سبب تحرير الحروف هو أنه بالمجلس الشرعي المحرر المرعي أجله الله تعالى لدي مولانا وسيدنا افتخار قضاة الإسلام ذخر ولاة الأنام محرر القضايا والأحكام بالأحكام خلاصة <2> العلماء الأعلام الحاكم الشرعي الولي إبراهيم أفندي بن خليل الموقع خطه الكريم بأعالى نظيره دامت فضائله ومعاليه أدعى عبد القادر بن عبد الرحمن تربانة {135} الأصيل عن <3> عن (!) نفسه والحاج أحمد بن محمد اللبداني الوكيل الشرعي عن زوجته صالحة بنت عبد الرحمن تربانة الثابت وكلاته عنها بموجب سجل سابق على تأريخه أدناه ثبوتًا شرعيًا <4> عن الحاج حسين بن أحمد الطوبجي (Topçu) الوكيل الشرعي عن (!) {136} قبل مؤمنة بنت داود أق باش التي كانت زوجة الحاج شعبان شقيق المدعي الأصيل المزبور وصالحة <5> الموكلة المذكورة المتوفى سابقًا على تأريخه أدناه.

وقال في تقرير دعواهما عليه إن الموجود في تركة شعبان زوج الموكلة المزبورة الجارية السمراء المدعوة <6> فائدة وإن مؤمنة الموكلة المذكورة تعارضهما في ذلك بغير وجه شرعي وطالباه برفع يد الموكلة مؤمنة المذكورة عن الجارية المذكورة وبتسلمها إليهما <7> ليبيعها وأداء ما على تركته من الدين الثابت عليها شرعًا وسألا سؤاله عن ذلك سبل.

فأجاب بأن الجارية المذكورة ملك مؤمنة الموكلة المذكورة اشترتها <8> بمالها لنفسها من مالكها الأول بثمن قدره خمسة وثمانون غرشًا وأنها دفعت من ثمنها لبائعها لها خمسة وثلثين غرشًا وأذنت لزوجها شعبان [أن] يدفع <9> خمسين غرشًا يقدر ثمن الجارية نظر ما لها من مؤخر صداقها عليها بكتاب الزوجية وأن شعبان زوجها دفع لمالك الجارية بائعها الخمسين غرشًا <10> من ماله نظر مؤخر الصداق المزبور وأن شعبان المتوفي المذكور ليس له في الجارية شيء أصلاً. فلم يصدقاه على ذللك وطلبا منه بينة لذلك. <11> وأحضر الحاج حسين الوكيل المذكورة كل واحد من الحاج محمد بن عثمان العبدي والحاج علي بلوكباشي بقلعة القدس الشريف وعلي شيخ الدلّالين {137} <12> بالقدس الشريف وشهدوا راغبًا الاستشهاد الشرعي بأن الحاج

132 مسلم صحيح 4: 212 حديث 3797 / النووي المنهاج شرح مسلم 961 ويقارن من أعتق رقبة مسلمة أعتق الله بكل عضو منه عضوًا من النار حتى فرجه بفرجه تبرزي مشكاة 2: 1010 (حديث 3382) القاري مرقاة 6: 498 (3382).

133 وينظر في أبي إسحاق إبراهيم بن أحمد بن عبد الرحمن الغرناطي (494–579/1101–1183)، **الوثائق المختصرة** حقق إبراهيم بن محمد السهلي (المدينة: الجامعة الإسلامية بالمدينة، 1432\2011)، 249؛ الأسيوطي، **جواهر**، 2: 533.

134 هذا نمط قديم ويقارن بنسخ سجل من مصر المملوكية عند أبي الفضل جلال الدين عبد الرحمن السُيُوطي (849–911/1445–1505)، **حسن المحاضرة في أخبار مصر والقاهرة** (القاهرة: عيسى الحلبي، 1387/1968)، 2: 66.

135 عائلة مغربية التي استقرّت في مصر. وينظر عند حسام محمد عبد المعطي، **العائلة والثروة: البيوت التجارية المغربية في مصر العثمانية** (القاهرة: الهيئة المصرية العامة للكتاب، 1429/2008)، 50–53.

136 اقرأ من.

137 . **سجلّ القدس** دفتار 107 قضية رقم 143 (أن يكونَ شيخٌ ومتكلمًا على جماعة من الدلاين بمدينة القدس الشريف).

شعبان أقر عندهما في حال حياته قبل موته سابقا على تأريخه أدانه بأن الجارية المدعوة فائدة <13> الواقع بمثلها الدعوى الأن أنها ملك مؤمنة بنت داود أق باش وأنها كانت اشترتها بمالها لنفسها من مالكها الأول المذكور بثمن قدره خمسة وثمانون غرشًا <14> وأنها دفعت لبائعها من مالها خمسة وثلثين غرشًا وأذنت له يدفع بقية ثمنها لبائعها نظير مؤخر صداقها عليه خمسون غرشًا وأنه يدفع لمالكها المزبور خمسون غرشًا <15> وصدّقته على ذلك تصديقًا شرعيًا. وأقرت عندهما أن لزوجها شعبان بذمتها عشرين غرشًا وصدقها تصديقًا شرعيًا شهادة صحيحة شرعية لوجه المدعى عليهما <16> عبد القادر والحاج أحمد فلم في ذلك دافعًا ولا مطعنًا شرعيًا فقبلت شهادتهم بذلك قبولاً شرعيًا. ولما ثبت ذلك لدي مولانا الحاكم الشرعي المشار إليه ثبوتًا شرعيًا <17> وحلفت على بقائها في ملكها شرعيًا. حكم الحاكم الشرعي المشار إليه الجارية المذكورة في ملك مؤمنة المذكورة حكمًا شرعيًا ومنع عبد القادر <18> وصالحة الموكلة المذكورة من معارضتهما منعًا شرعيًا في سادس عشر شهر ربيع الأول سنة سبعين وألف.

الحاج زكريا \\ الشيخ عفيف \\ الشيخ نصر الدين \\ الشيخ حسن

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Slavery, Manumission, and Freedom Suits in the Early Modern Ottoman Empire

On June 10, 1663, Kaytas bin Abdullah, a slave of Rus'i origin—that is, from the lands of Rus north of the Black Sea (roughly present-day Ukraine)—sued Mısırlı ("Egyptian") Mehmed bin Bulut and Mısırlı Mehmed's nephew by marriage, also named Mehmed, for his freedom in the court of Istanbul. Kaytas had been jointly-owned by Mısırlı Mehmed and his deceased wife, Şem'î bint Hasan. Kaytas claimed that the two of them together had previously manumitted him, but Şem'î's heirs, her husband and her nephew, were insisting that he was in fact their slave. Kaytas now demanded that the two Mehmeds be questioned by the court and that their possession of him be invalidated.

Upon questioning, Şem'î's nephew Mehmed acknowledged that his aunt had indeed manumitted her half of Kaytas and abandoned his ownership claim, but Mısırlı Mehmed denied that he had done so himself. Kaytas could not be half free and so was still, according to Mısırlı Mehmed, his slave. When the court asked Kaytas for evidence to support his claim, Kaytas called two free, male, Muslim witnesses from their Istanbul neighborhood, who testified that the couple had in fact legally manumitted and freed Kaytas together in their presence. The judge (kadi) nullified Mısırlı Mehmed's possession of Kaytas and declared him free.[1]

Why did Mısırlı Mehmed think that he could get away with holding Kaytas when he already had manumitted him? What sequence of events brought former slave and master together as plaintiff and defendant before the kadi of Istanbul? Although the record says nothing about the length of their relationship, it is clear that there was significant history between the two parties, which began when the couple first purchased the Rus'i captive who became Kaytas bin Abdullah upon his conversion to Islam, and which persisted beyond his manumission and the death of one of his former masters.

1 Istanbul 12, f. 24a (4/ZA/1073); published in transcription in Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri: İstanbul Mahkemesi 12 Numaralı Sicil (H. 1073–1074/M. 1663–1664)* (Istanbul: İSAM, 2010), 271.

As it happened, the case was more complicated than at first it appeared. Three days later Kaytas and his former master were back before the court to register a voluntary settlement agreement (*sulh*). Kaytas explained that, at some point after Mısırlı Mehmed and his wife had manumitted him, he had given Mısırlı Mehmed fifty-two Spanish reals (*riyâl guruş*) of his own money and asked Mısırlı Mehmed to "buy a slave girl (*cariye*) for me." But when Mısırlı Mehmed failed to buy Kaytas the ethnic type (*cins*) of *cariye* he had requested—and he may well have had someone specific in mind—Kaytas decided to sue Mısırlı Mehmed for the return of his money. Their quarrel deepened when Mısırlı Mehmed denied that he had ever received the sum Kaytas described, and then Mısırlı Mehmed raised the stakes further by reasserting his ownership of Kaytas and enlisting his wife's nephew in the project. Kaytas may have been legally free for quite some time (the record does not say), but because he had remained close to his former master-cum-patron and probably part of his household, they may not have bothered to formally document the manumission, which nevertheless went into effect the instant that Mısırlı Mehmed and Şem'î said before witnesses, "you are free."

Kaytas had won formal confirmation of his freedom from the kadi—the court scribe, who was evidently cataloguing the cases for compilation in a legal praxis manual, actually wrote *itâknâme* (manumission document) in the margin beside the entry—but it may have cost him in time and court fees. And though the court may have chastened Mısırlı Mehmed for his actions, Mehmed had clearly re-asserted the strength of his position to Kaytas, who was no closer to recovering his money. Litigation had thus brought them both to the negotiating table. Now Kaytas declared to the court that he had agreed to withdraw his previous suit and was relinquishing all further claims against Mısırlı Mehmed in exchange for 1,000 *akçe* (roughly a fifth of the original sum), which he confirmed he had received.[2] What appeared at first glance to have been a case of freedom granted, then cruelly denied, was in fact just one act in a larger dispute over how Mısırlı Mehmed may have not been a responsible steward of his erstwhile slave's money, purchasing

2 Istanbul 12, f. 24b (7/ZA/1073); Yılmaz, ed., *İstanbul Mahkemesi 12*, 272. "Sulh" is written in the adjacent margin, on which see Işık Tamdoğan, "*Sulh* and the 18th Century Ottoman Courts of Üsküdar and Adana," *Islamic Law and Society* 15 (2008): 55–83; Aida Othman, "'And Amicable Settlement Is Best': *Sulh* and Dispute Resolution in Islamic Law," *Arab Law Quarterly* 21 (2007): 64–90. Owing to the debasement of the Ottoman silver coinage (*akçe*) in the late 16th century, most high-value transactions in the core lands of the 17th-century Ottoman Empire were denominated in foreign currencies, particularly Dutch lion dollars (*esedi guruş*) and Spanish reals (*riyal guruş*); for a conversion chart, see Şevket Pamuk, *A Monetary History of the Ottoman Empire* (New York: Cambridge University Press, 2000), 144. On *itâknâme*, see Joshua M. White, "Ottoman Slave Manumission Documents," in *Christian-Muslim Relations: A Bibliographical History*. Vol. 12: Asia, Africa and the Americas (1700–1800), ed. David Thomas and John A. Chesworth (Leiden: Brill, 2018), 227–33.

for him either the wrong slave, or one Kaytas thought was not worth the price paid.

To state the obvious: relations between slave holders and the enslaved were always complex. But as the legal battle between Kaytas and Mısırlı Mehmed shows, in the early modern Ottoman Empire they often remained so even after manumission transformed their relationship into one between people who were, in legal terms, free men and women with all the accompanying rights and responsibilities. What is more, the story of Kaytas and Mısırlı Mehmed provides an important reminder that the appearances of the enslaved and their masters before the kadi, captured in the court's records, represent only a still from a much longer film, reels of which might be missing. But while it was unusual in its particulars, Kaytas' freedom suit was just one of many heard by the kadi of Istanbul in the weeks and months to come.

On June 26, for example, Gülistan bint Abdullah, a *cariye* also of Rus'i origin, sued the heirs of her deceased master, Neslihan bint Hüsrev. While still of sound mind and body, Neslihan had arranged for her slave Gülistan to be freed upon her death. Whether out of ignorance of Neslihan's intentions or because her plan to endow Gülistan with a new life would deny them a portion of their inheritance and the opportunity to profit from Gülistan's sale, Neslihan's heirs denied that she had made any such arrangements and declared that Gülistan was legally their slave. However, three witnesses confirmed that Gülistan had been manumitted posthumously by Neslihan pursuant to the registered agreement (*tedbir*; Arabic: *tadbīr*), and the court ruled that she was free.[3]

Similarly, on July 5, Bâdıseher bint Abdullah, described as of medium-height, browed with light blue-eyes, and of Hungarian origin, sued the heirs of Mehmed Çelebi bin Hızır Ağa: his wife Emine, his daughter Fatıma, and his father Hızır Ağa. Bâdıseher claimed that Mehmed had manumitted her while he still lived and was of sound mind, but that now even though she was legally free, her former master's father had included her in the deceased's inheritance inventory (*tereke*) and had taken possession of her. After Hızır Ağa denied that she had been freed, three prominent witnesses likewise testified that she had been manumitted in their presence.[4] Just as with Kaytas, freedom for Bâdıseher had not meant departure from her master's household, thereby leaving her vulnerable to his heirs when he was gone.

In the same court on September 19, a medium height, open-browed, blue-eyed woman of Rus'i origin, Gülsüm bint Abdullah, sued a slave dealer (*esirci*) named

3 Istanbul 12, f. 39b (20/ZA/1073); Yılmaz, ed., *İstanbul Mahkemesi 12*, 381. "isbât-ı ıtk" is written in the margin.

4 Istanbul 12, f. 37b (29/ZA/1073); Yılmaz, ed., *İstanbul Mahkemesi 12*, 366. "isbât-ı ıtk" is written in the margin.

Mustafa bin Hacı Kemal. She had previously been the concubine of a certain Hüseyin, by whom she had borne three sons, and as the mother of her master's child (*ümm-i veled*; Arabic: *umm walad*), she could not legally be sold and would automatically be manumitted upon her master's death. Gülsüm claimed that Hüseyin had already proactively manumitted her when, through a chain of events unfortunately left undescribed, she came to be purchased by the *esirci* Mustafa, at which point she sued for her freedom. Although Mustafa denied any knowledge of this, two local witnesses testified that she had indeed borne Hüseyin's children and that Hüseyin had manumitted her in their presence. On the strength of their testimony, the court ruled that she had "proven her freedom."[5] As for the slave-dealer Mustafa, having been deprived of his investment, his next step would be to sue Gülsüm's seller to get his money back.

And on October 23, a tall, blonde, open-browed, blue-eyed, Rus'i man, Dilaver bin Abdullah, sued his holder, a master cauldron-maker named Mehmed bin Hüseyin, claiming that four years earlier he had entered into a contractual agreement (*mükâtebe*; Arabic: *mukātaba*) with Mehmed to work for him for three years, after which he would be free. Mehmed had not honored their agreement. When Mehmed denied this, Dilaver called two other master cauldron-makers to testify on his behalf. They confirmed both the agreement, which they had witnessed, and its completion the previous year, making Dilaver "free like others of free origin."[6] It is not hard to imagine why a whole year had passed between the time when Dilaver was to become free and when he finally sued to make it a reality. Skilled enslaved laborers with *mükâtebe* agreements often continued to work alongside their former masters after their emancipation and remained closely connected to their household networks.[7] Dilaver undoubtedly expected to be set up in the business in some fashion and had continued to work for little or no pay while Mehmed kept putting him off, until finally Dilaver tired of waiting and hauled Mehmed into court. Mehmed's cauldron-making colleagues who testified on Dilaver's behalf would have wanted to maintain the integrity of the *mükâtebe* system, on which many industries relied to renew and expand their ranks, and they may have had work for Dilaver in their own workshops as well.

These are just a handful of the 26 freedom suits (*dava-yı hürriyet*) the kadi of Istanbul heard between January 13, 1663 and July 9, 1664 (H. Cemâziyelâhir 3,

5 Istanbul 12, f. 70b (16/S/1074); Yılmaz, ed., *İstanbul Mahkemesi 12*, 599. "isbât-ı hürriyet" is written in the margin.

6 Istanbul 12, f. 84a (21/RA/1074); Yılmaz, ed., *İstanbul Mahkemesi 12*, 671.

7 Nur Sobers-Khan, *Slaves without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: Klaus Schwarz Verlag, 2014); Halil Sahillioğlu, "Slaves in the Social and Economic Life of Bursa in the Late 15th and Early 16th Centuries," *Turcica* 17 (1985): 43–112.

1073–Zilhicce 15, 1074). During the same period, the court recorded 105 manumission entries of various types, some of which simultaneously manumitted multiple slaves. Contracting and registering freedom was an important part of the court's docket; freedom suits and manumission entries comprised 2% and 8% of the court's total recorded business, respectively, during those eighteen months.[8] To go by these data, for every four manumissions concluded or contracted in the Istanbul court—one of half a dozen courts operating in the greater Istanbul region—there was at least one that did not go according to plan. But while that 4:1 ratio is suggestive of the frequency with which enslavement was disputed and of how messy the transition from slave to free person could be, even these numbers are misleadingly low.

All 26 of the freedom suits recorded in the 1663–64 register were successful, and a rough survey of dozens of 17th-century Istanbul-area court registers suggests that plaintiffs won more than 90% of the freedom suits recorded. However, cases that did not proceed to litigation due to lack of evidence or a decision to settle out of court left no mark in the record, to say nothing of all the potential plaintiffs who never came to court, meaning that all those successful recorded cases may represent only a small fraction of those whose continued enslavement was illegal. Because the only acceptable evidence in most instances was in-person witness testimony, a freedom suit had little chance of success if admissible witnesses were deceased, could not be found, or were unwilling to testify, and in those hopeless situations, kadis may have tried to dissuade would-be litigants from filing suit.

With limited sources available for the lives of the enslaved in the early modern Ottoman Empire, attention has often turned to those moments when slavery began and ended, with importation and sale, and with manumission or flight, all of which had to potential to bring the enslaved and slave holders before the courts and into the archival record.[9] We know that manumission was extremely com-

8 These data are from register number 12 of the court of Istanbul, cited above, but similar numbers can be seen elsewhere. For example, in the eight-month period of H. 1077 (1666–67) covered in register number 3 of the Istanbul Bab court, we find 11 freedom suits and 90 manumissions, comprising just under 1% and 7.8% of the 1159 entries; see Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri: Bâb Mahkemesi 3 Numaralı Sicil (H. 1077/M. 1666–1667)* (Istanbul: İSAM, 2011). Naturally, the numbers of such cases varied dramatically based on the jurisdiction, the wealth and prominence of its inhabitants, the conditions of the market for slaves, and the political and economic fortunes of the era more broadly.

9 See, for example, Yvonne Seng, "Fugitives and Factotums: Slaves in Early Sixteenth-Century Istanbul," *Journal of the Economic and Social History of the Orient* 39, 2 (1996): 136–69; Sobers-Khan, *Slaves without Shackles*; Sahillioğlu, "Slaves in the Social and Economic Life of Bursa"; Alan Fisher, "Studies in Ottoman Slavery and Slave Trade, II: Manumission," *Journal of Turkish Studies* 4 (1980): 49–56; Zübeyde Güneş Yağcı, "The Black Sea Slave Trade According to the Istanbul Port Customs Register, 1606–1607," in *Eurasian Slavery, Ransom and Abolition in World History, 1200–1860*, ed. Christoph Witzenrath (Farnham, UK: Ashgate), 219–32; Dariusz

mon in Ottoman society, but we still have little understanding of how often it failed to go according to plan for those who had formally become, or believed they would soon be, "free." Despite the fact that suits filed by those arguing that they were wrongfully held in bondage were extremely common, they have received no focused scholarly attention for the premodern period. And yet, the prevalence of freedom suits suggests that we need to reassess what "freedom" actually meant.

As the above examples illustrate, manumission took a variety of forms; freedom could be declared unilaterally, effective immediately, or it could be delayed, effective upon the death of the master or the completion of a term of service or a fixed value of labor. The latter, pre-contracted form of manumission was of particular social and economic importance and was widely employed with skilled slaves, since it incentivized high-quality, expeditious labor. Yet the freedom that masters promised or that the law guaranteed was not always delivered, and even formally concluded manumissions could be violated and the legally free wrongly held or sold back into bondage. When long-awaited emancipation was not forthcoming or freedom was illegally snatched away, or when Ottoman subjects "of free origin" (*hurrü'l-asl*) were carried off and sold in the markets, the courts were their main recourse. By filing suit and challenging their condition before the authorities—whether the local kadi or the august deliberative body that governed the entire empire, the Imperial Council (*Divan-ı Hümayun*)—they could regain or win their freedom.

Freedom suits provide unrivaled insights into the agency of slaves in Ottoman society, illuminating the dynamic intersections and interactions of the enslaved, their masters, and social, religious-legal, and governmental institutions. The enslaved were active participants in negotiating the conclusion of their enslavement and their future position within the household they served, and freedom suits open a window onto that process. When their position was threatened or when formerly dormant rights enjoyed by free people were asserted and denied, the (formerly) enslaved took their holder or their holder's heirs to court, demanding formal recognition of their freedom from the authorities in order to reposition themselves within or establish themselves outside their former master's household.

Kołodziejczyk, "Slave Hunting and Slave Redemption as a Business Enterprise: The Northern Black Sea Region in the Sixteenth to Seventeenth Centuries," *Oriente Moderno* 25 (2006): 149–59; Suraiya Faroqhi, "Quis Custodiet Custodes? Controlling Slave Identities and Slave Traders in Seventeenth-and Eighteenth-Century Istanbul," in Suraiya Faroqhi, *Stories of Ottoman Men and Women: Establishing Status, Establishing Control* (Istanbul: Eren, 2002), 245–63; Ronald Jennings, "Black Slaves and Free Blacks in Ottoman Cyprus, 1590–1640," *Journal of the Economic and Social History of the Orient* 30 (1987): 286–302.

Examining freedom suits also brings our attention to another frequently overlooked facet of the landscape of Ottoman slavery: the illegal enslavement of Ottoman subjects. Only "enemy infidels," non-Muslims from outside Muslim-ruled domains (the "Abode of War"), could be legally enslaved, and treaty agreements further limited the sources from which captives could be obtained. Because slave status was rarely inherited and manumission was common, there was a constant demand for captives in the Ottoman Empire that, until the 18th century, was largely satisfied by prisoner-taking in wartime, cross-border raiding, and the regular trade in Tatar-taken captives from north of the Black Sea and others imported from the Caucasus and sub-Saharan Africa. But this demand for captives also supported a vigorous internal human trafficking industry. Ottoman subjects—Muslims, Christians, and Jews—were abducted singly or in groups from both the frontiers and the interior and illegally sold into slavery.[10] Many actively challenged their condition, suing their holders and asserting their "free origin" before the courts. Three of the 26 freedom suits heard at the Istanbul court in 1663–64, and as many as a fifth of the freedom suits heard in Istanbul-area courts of the 17th century were filed by or on behalf of men, women, and children who were Ottoman subjects.

This chapter presents a typology of Ottoman freedom suits, which Ottoman legal professionals categorized according to the nature of the violation or type of manumission the enslaved plaintiff asserted had taken place. Providing examples of each, the chapter explores how those claiming that their continued enslavement was illegal brought their cases and how judges weighed evidence and decided them. In so doing, it asks what freedom suits might be able to tell us about the agency of slaves, the negotiation of manumission, and the landscape of Ottoman slavery more broadly that the available sources otherwise miss, and it problematizes the "freedom" that manumission granted and that all Ottomans "of free origin" supposedly enjoyed.

Sources

Chief among those sources are the court records (*kadı sicilleri*) themselves, which have been the foundation of dozens of studies in Ottoman social history and of slavery in particular. The enslaved in Ottoman society had legal personality, albeit limited. They could sue their masters not only for their freedom, as in the examples above and below, but also over poor treatment. They could convert to Islam and, if their owner were a non-Muslim, demand they be sold to a Muslim.

10 Joshua M. White, "'Of Free Origin': Illegal Enslavement, Freedom Suits, and Legal Praxis in the Seventeenth-Century Ottoman Empire," forthcoming.

In court, the same legal procedures applied for an enslaved litigant as for a free one, though as witnesses their testimony was not equal to that of a free person and as criminal defendants their punishments were less than those inflicted on the free.[11] Brian Owensby has observed of freedom suits in 17th-century New Spain that though "slaves were generally subject to the towering inequality of their status, in court they enjoyed a rough equality ensured by procedure's orderliness," and this holds true in the Ottoman case as well.[12] However, owing to the brevity of the Ottoman records—rarely longer than half a folio page, in contrast to the hundreds of folios that freedom suits from New Spain could fill—and their inscrutable, often formulaic nature, it is imperative to map out the procedures that judges and their scribes followed and the sources of the language they employed if we wish to understand the legal outcomes they recorded.

To make sense of the paths that brought litigants to court and led either to freedom or a return to servitude, we must supplement court records with Ottoman legal praxis manuals, known as *sukuk*, or *sakk mecmuaları. Sukuk* proliferated in Ottoman Turkish beginning in the late 16th century, as the Ottoman legal establishment began to standardize the language and procedure of the courts throughout the Turkish-speaking lands of the empire and phase out the use of Arabic, and they became increasingly comprehensive over the next two hundred years.[13] These manuals were usually prepared by kadis or professional court scribes and were explicitly designed to provide examples for other judges and scribes for how to frame evidentiary procedure, draw up documents, and record different types of transactions and cases, for which reason the entries were often given headers like "example of what is written in the confirmation of freedom."[14] Indeed, the scribe of the Istanbul court in 1663–64, then serving a kadi who was a scion of a prominent judicial dynasty, had made marginal notations besides many of the register's entries, including the freedom suits described above—"confirming manumission (*isbât-ı ıtk*)," "proving freedom (*isbât-ı hürriyet*)"—which suggest that they were preparing a *sakk* manual themselves.

11 On punishments, see Uriel Heyd, *Studies in Old Ottoman Criminal Law* (Oxford: Clarendon Press, 1973).

12 Brian Owensby, "Legal Personality and the Processes of Slave Liberty in Early Modern New Spain," *European Review of History* 16 (2009): 367.

13 For an introduction to the genre and a list of manuscripts extant in Turkey, see Süleyman Kaya, "Mahkeme Kayıtlarının Kılavuzu: Sakk Mecmuaları," *Türkiye Araştırmaları Literatür Dergisi* 3 (2005): 379–416.

14 Ottoman Turkish manuals often had headings in Arabic; this particular phrasing, "example of what is written in…" (*sūra mā yuktub fī…*), appears in the manuals of, among others, Pir Mehmed b. Musa b. Mehmed el-Bursevi, Hamza Karahisari, and Hacibzade Mehmed b. Mustafa b. Mahmud, on which, see below.

These manuals are one of the reasons why Ottoman *sicil*s from across the non-Arabic-speaking empire, from Vlorë (Avlonya) to Van, employed nearly identical phraseology. They represented the Ottoman Turkish legal idiom to a broad audience of law students and legal professionals and ensured its replication; judicial scribes could simply swap out names, places, and details as necessary. The *sukuk* telegraphed the various scripts which plaintiffs' and defendants' statements and witnesses' testimonies were supposed to follow, or into which their actual words would subsequently be molded, depending on the facts of the case and the nature and origins of the proceedings. Because the examples given in *sukuk* manuals were not hypotheticals, they provide a useful counterbalance for research in the court records themselves, even though they often lack precise dates and identifying details. Largely overlooked by Ottomanists, the *sukuk* manuals are essential to draw conclusions not so much about how judges were expected to rule, but about how their scribes were expected to structure the record of the various forms of freedom suit and manumission transaction, and perhaps more important, about what was "normal" across a broad swath of the empire over time.

Freedom suits of all types were so common in the premodern Ottoman Empire that virtually every Ottoman judicial praxis manual produced between the second half of the 16th and the beginning of the 19th centuries contains multiple examples. Organized along the same lines as other jurisprudential works, the second chapter in *sukuk* manuals was typically the chapter on manumission. This contained examples of all the different types of manumissions and how to document them, often with several variations within each category. After the various examples of what was to be written for each form of manumission, there would typically be examples of how each form of manumission might be proved and affirmed by the courts as a result of lawsuits filed by the enslaved. These would be followed by examples of freedom suits filed by Ottoman subjects, as well as foreign Muslims, who had been illegally enslaved, sued, and proved their free origin. Some of the more comprehensive *sukuk* presented examples of failed suits, though these were less common—a reminder that most cases that could not win did not proceed to litigation and were never recorded.[15]

For example, the 17th-century manual of Hacibzade contains a chapter on "manumission and *tedbir* and related matters" comprised of half a dozen examples of how unconditional manumission (*ıtk*; Arabic: *ʿitq* or *ʿitāq*) is to be documented, including manumission for pious reasons, manumission through the offices of a legal agent, manumission of an "infidel" pursuant to a ransom payout, manumission through oral declaration that an enslaved woman had

15 In some manuals, like the *Sakk-ı Sanizade*, the chapter on suits (*dava*) contains more freedom suits and examples of related litigation that often appear in the manumission chapter as well, e. g. suits for restitution of money paid for a slave whose freedom has been confirmed.

borne her master's child, and manumission in exchange for payment. This is followed by seven examples of freedom suits, including both entries in which prior manumission is proven (*isbât al-ıtk*) and freedom is confirmed (*isbât al-hürriyet*), the latter often referring to the suits of illegally enslaved Ottoman subjects and foreign Muslims. These are followed by four examples of how to record *tedbir*, or manumission deferred until the death of the master, and three examples of freedom suits resulting in the confirmation of *tedbir* manumission, two absolute (*mutlak*) and one conditional (*mukeyyet*). Finally, there are four examples of work-release (*mükâtebe*) contracts and concluded manumissions, with three related freedom suits.[16] The 17th-century *Sakk-ı Fındıkzade* is equally thorough. Within the "chapter regarding *ıtk*, *tedbir*, and *mükâtebe*," there are eighteen examples divided between the forms of manumission, then a "section on confirming *ıtk*, *tedbir*, and *mükâtebe*," containing twelve freedom suit examples, and a "section on proving freedom and price restitution," containing six examples of free-origin suits and suits for compensation lodged by the buyers of captives who were found to be legally free.[17] Overall, most *sukuk* manuals of the late 16th through early 19th centuries contained somewhere between ten and twenty-five examples of different types of freedom suits and related litigations. This chapter relies on research in twelve such *sukuk* manuscripts, which are paired with cases drawn from the same 1663–64 register of the Istanbul court.[18]

There were five bases on which plaintiffs could lodge freedom suits, encompassing the four key manumission mechanisms—*ıtk*, *ümm-i veled*, *tedbir*, and *mükâtebe*—and the assertion of "free origin."[19] Although the entries for all these

16 Hacibzade Mehmed b. Mustafa b. Mahmud, *Sakk-ı Hacibzade*, Süleymaniye Kütüphanesi (SK) MS Fatih 2337, f. 36a–44a.

17 Mustafa b. Şeyh Mehmed, *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 18a–28b.

18 They are: Mehmed b. Ishak, *Razvatu'l-kadin*, SK MS Yazma Bağışlar 51; Anonymous, *Sukuk* (16th c.), SK MS Süleymaniye 1063; Pir Mehmed b. Musa b. Mehmed el-Bursevi, *Bidaatu'l-kadi li ihticaihi*, SK MS Ismihan Sultan 216; Hamza Karahisari, *Sukuk*, SK MS Esad Efendi 809; Mehmed b. Dervis es-Sani Edirnevi, *Sakk-ı Sani Efendi*, Bibliotheque nationale de France (BnF) MS Supplement Turc 66; Anonymous, *Sukuk* (first half 17th c.), SK MS Esad Efendi 933; Timurtaşızade Derviş Şemseddin, *Sakk-ı Timurtaşızade*, SK MS Esad Efendi 3612; Hacibzade Mehmed b. Mustafa b, Mahmud, *Sakk-ı Hacibzade* (AKA *Bidaatu'l-hukkam*), SK MS Fatih 2337; Mustafa b. Şeyh Mehmed, *Sakk-ı Fındıkzade* (AKA *Ravzatu'l-kudat*), SK MS Laleli 1096; Hızır b. Osman, *Sakk-ı Hızır*, SK MS Hacı Mahmud Efendi 939; Mehmed b. Abdullah Musazade, *Sakk-ı Musazade*, SK Atıf Efendi 1115; Mehmed Sadık b. Mustafa Şanizade, *Bedayiu's-sukuk* (AKA *Sakk-ı Sanizade*), SK MS Atıf Efendi 1113.

19 On the Hanafi jurisprudence (*fiqh*) that informed Ottoman practices concerning slavery and manumission, see the frequently cited work of the 12th-century Central Asian jurist Abū al-Ḥasan Burhān al-Dīn al-Marghīnānī, *Al-Hidāyah fī Sharḥ Bidāyat al-Mubtadī*, vol. 2 (Cairo: Mustafā al-Bābī al-Halabī, 1975), 49–71; available in English as *The Hedaya*, trans., Charles Hamilton, vol. 1 (London: T. Bensley, 1791), 419–90; see also the 15th-century Ibrahim Halebi, *İzahlı Mülteka el-Ebhur Tercümesi*, trans. Mustafa Uysal, vol. 2 (Istanbul: Çelik Yayınevi, 2000), 95–214.

freedom suits were broadly similar to one another and to the broader structure of suits (*dava*) in this period, each one had its own evidentiary requirements, its particular stylistic features, and challenges for plaintiffs. In many freedom suits, such as those filed by people who had been abducted and reenslaved or were mistaken for fugitives, the defendant was not the former master or their heirs but the current holder. Regardless, the grounds on which the plaintiff asserted their freedom, whether the type of manumission under which they were emancipated or their free origin, was explicitly referenced, for it determined what exactly the plaintiff needed to prove, and it is by these categories that they were organized and presented in the *sukuk* literature. Thus, we begin with the most capacious category of all, unconditional manumission, or *ıtk*.

Disputed Unconditional Manumission (*ıtk*)

On the first day of the new *hicri* year 1074 (August 5, 1663), the kadi of Istanbul, Şeyh Mehmed Efendi made a declaration before his own court concerning Mustafa bin Rıdvan, the "tall, open-browed, blond, blue-eyed, Rus'i-origin bearer of this document," who had been his uncle Yahya Efendi's slave. Zekeriyazade Yahya Efendi, who served as *şeyhülislam* (mufti of Istanbul, head of the Ottoman-religious legal hierarchy, and the sultan's chief jurisconsult) for most of the period between 1622 and his death in 1644, had been a towering figure in Ottoman political and religious affairs, as well as a poet of some note, during some of the empire's most tumultuous decades. Himself the son of the *şeyhülislam* Zekeriya Efendi (d. 1593), the *ulema* dynasty of which he was a part continued with his nephew, who as kadi of Istanbul occupied one of the most prestigious judicial posts in the empire. On that summer day, the kadi Mehmed Efendi reported that his uncle Yahya Efendi had manumitted Mustafa b. Rıdvan while in good health for pious reasons—"accountable to great God and requesting the satisfaction of the merciful lord"—and so freeing him from his possession, Mustafa had become "free like all others of free origin." The kadi thus confirmed that Mustafa was indeed "now free like all others of free origin."[20] The kadi's declaration was not dissimilar from other manumission declarations; the former master or their legal agent would appear before the court with the slave to say before witnesses the words that dissolved the bonds of enslavement, or they would come to register the manumission after they had already done so. The former slave would leave with a manumission document (*itâknâme*) containing the information given above (stylized physical and ethnic description, name of former master, type of or reason for manumission, and the names of witnesses)

20 Istanbul 12, f. 49a (1/M/1074); Yılmaz, ed., *İstanbul Mahkemesi 12*, 447.

that, folded tightly, they could keep on their person in case of need.[21] But what is noteworthy in this instance is that the declaration was made nearly twenty years after the death of Yahya Efendi.

Although Mustafa had been technically free for decades, he had likely remained in the service of Yahya Efendi for however much of his life remained and then continued to live and work in the household after his former master's death. Had an *itâknâme* like this ever been issued before? Had Mustafa ever had any need of one? Why, so many years later, did he appear in court with his former master's nephew? One possible explanation is that the witnesses to the original declaration had died in the twenty years since Yahya Efendi's death, necessitating a fresh document that could be authenticated by living witnesses. There are no clear answers to these questions, but it is not hard to imagine that Mustafa may have been concerned to keep the documents attesting his free status up to date, or to acquire new copies before setting out on a journey, perhaps the Hajj.

Regardless, these were some of the most powerful people in the empire and among its most esteemed jurists; if their manumitted household slaves were not, as a matter of course, receiving the documentation that would permit them to strike out on their own, what might this tell us about the practices of less prominent, or less upright, slave holders? And if the kadi Mehmed were renewing Mustafa's *itâknâme* after all those years, what might this say about the vulnerability of manumitted slaves to reenslavement, even decades after they became free "like others of free origin"?

Consider this "example of confirming manumission (*ıtk*)" from the *sakk* of Hızır bin Osman, from the second half of the 17th century:

> In the court of the noble law, the medium height, open-browed, blue-eyed bearer of this document, Bederma bint Abdullah, previously named Şehbaz, sued Kâtib Mehmed Efendi ibn Ahmed from Rusçuk in Rumeli, who holds her as a slave and is represented in court by Yusuf Beşe ibn Fulan of Tophane, as confirmed by a *hüccet* (legal document). She stated that:
>
> "Twenty years before the writing of this document, after the deceased Mehmed Efendi ibn Fulan ibn Fulan, known as Fulanzade ("son of so-and-so")—in whose possession I was a *cariye*—became the kadi of Edirne, he manumitted and freed me. While I was free like all others of free origin, the represented-here defendant Mehmed Efendi illegally took possession of me as a slave; I request that the aforementioned legal agent (*vekil*) Yusuf Beşe be questioned, that the defendant Mehmed Efendi's possession of me be investigated and invalidated, and that I be set free."
>
> Upon questioning, the aforementioned *vekil* Yusuf Beşe responded that five years earlier Mehmed Efendi purchased the aforementioned plaintiff from a slave dealer (*esirci*) who is not present in the court for 100 *guruş* and took possession of her. Because

21 White, "Ottoman Slave Manumission Documents"; on the slave description (*hilye*; Arabic: *ḥilya*), see Sobers-Khan, *Slaves without Shackles*, 235–68.

> he denied her freedom in this manner, when the aforementioned plaintiff was asked for evidence to support her claim, Abdulatif bin Fulan from the neighborhood of such-and-such in the same city and Yusuf ibn Fulan from such-and-such neighborhood came to court to testify. Each declared that "twenty years ago the deceased Mehmed Efendi bin Fulan bin Fulan, known as Fulanzade, manumitted his slave in our presence after he became kadi of Edirne, and the plaintiff became free like all others of free origin; we are witnesses to this matter and we testify thus."
>
> After their testimony was investigated and accepted, in accordance with the legal ruling on her freedom, the aforementioned *vekil* was ordered to relinquish the represented defendant's possession of her since she has been set free. What happened was written as required.[22]

Though stripped of some of its detail and semi-anonymized—names and places were frequently replaced with *fulan*, or so-and-so, in *sukuk* manuals—the example above is indicative of how these kinds of suits were recorded, how the manumitted, especially women, were vulnerable to reenslavement, and how important the testimony of living witnesses was to proving a previous manumission. Twice renamed in her life, Bederma AKA Şehbaz, like the formerly enslaved Mustafa described above, had been held by a prominent kadi, who manumitted her to celebrate his promotion to the judgeship of Edirne, one of the empire's most prestigious posts. The record here does not specify how or when the plaintiff was reenslaved—we can only speculate as to whether she was abducted by slavers, mistaken for a fugitive, betrayed by her former master's heirs (assuming she had continued to serve him after manumission), or followed some other path—nor does it tell us how or why she brought her suit when she did, but she had already been in the service of the scribe Mehmed Efendi for five years when she sued. If she had ever possessed an *itâknâme*, it had offered her little protection. She won because, despite the passage of twenty years (the "writing of this document" here refers to the *hüccet* that the plaintiff would receive, which corresponded to the summary of the proceedings recorded in the court's register), she could still call witnesses to her manumission to testify. This was critical; while freedom could be proven without manumission documents, uncorroborated documents alone were insufficient to overcome a defendant's denials. Similar examples, of men and women forced to sue for their freedom years after their unilateral manumission and the death of their former master, appear in most *sukuk* manuals and are a common feature in court records.[23]

22 Hızır b. Osman, *Sakk-ı Hızır*, SK MS Hacı Mahmud Efendi 939, f. 16b–17a.

23 The example from the *Sakk-ı Hızır* quoted above is followed immediately by "another example," f. 17a, this one of a Hungarian-origin man who had been manumitted a year earlier before his master's death, but who had been wrongfully included in the inheritance inventory and sold, and still another, f. 17b, of a young Rus'i man who had had been manumitted four years earlier, but whose deceased former master's wife and son continued to hold him in bondage. On documents as evidence in Ottoman courts, see Boğaç Ergene, "Document Use in

Because manumission did not necessarily have an immediate impact on the former slave's daily life and role within the household they served, disputes frequently arose only when the master or their heirs attempted to dispose of their long-serving servant, at which point the former slave might be forced to sue to "prove their freedom." Indeed, as we shall see repeatedly, the distinction between free servant and slave was often unclear and of seemingly little importance except at the critical moments when estates were inventoried by the authorities and households dispersed.

Heirs were notorious for trying to quickly profit from the sale of the members of the deceased's household, not all of whom were necessarily (still) enslaved. For instance, on January 11, 1664, Hasan bin Abdullah sued el-Hâc Pîr Mehmed b. Hamza in the court of Istanbul. Of Rus'i origin, Hasan had been the slave of a high-ranking janissary who freed him just before departing for the Hajj. Career milestones, military campaigns, and embarkation on long and arduous journeys, especially the Hajj, were frequently marked by the manumission of slaves "for pious reasons." However, this janissary did not survive the journey, and his heir seized Hasan and sold him to Pîr Mehmed for 9,600 *akçe*. It is clear then that manumission for Hasan had not meant striking out on his own. At the same time, imbrication in his former master's network of associates was what saved him from renewed bondage. Hasan was able to call five janissaries from his former master's unit who testified that he had been manumitted in their presence, and the court ruled that he was free.[24] The heir who sold Hasan may have been unscrupulously ignoring the deceased janissary's wishes, but it is also entirely possible that he was unaware of the deceased's household arrangements. He would certainly have every reason to be suspicious of a slave's potentially opportunistic claims of freedom, especially if they were undocumented. Nearly all the *sukuk* examined here contain examples nearly identical in form and similar in content to Hasan's freedom suit.

In the freedom suits surrounding unconditional manumission, the question facing the court was quite simple: had the plaintiff 's holder uttered the words that made them free, and had anyone witnessed it? In most instances, master and slave would ensure that there would be plenty of witnesses, as in the case above, who could attest to the manumission. Ideally, they would be personally known to the slave, of sufficient status for their word to be trusted in court, and of sufficient number to compensate for the death or distance of some. As for the words, Hanafi *fiqh* was quite precise about which phrases, including and in addition to

Ottoman Courts of Law: Observations from the Sicils of Çankırı and Kastamonu," *Turcica* 37 (2005): 83–111.

24 Istanbul 12, f. 134b (12/C/1074); Yılmaz, ed., *İstanbul Mahkemesi 12*, 906.

"you are free," dissolved the bonds of slavery.[25] Expressions of affection and devotion, even if unintentional, could irrevocably alter the relationship, deeply personal and often quite intimate, between master and slave.

For instance, under the heading "example of emancipation with the expression 'my son,'" the *sakk* of Hızır bin Osman presents the suit of the Rus'i-origin Şahin bin Abdullah. Şahin claimed that a year earlier his master, the slave dealer Kara Fatıma, told him "you are a son to me," and thus he became free "like others of free origin." After Fatıma died, her son continued to hold Şahin "illegally." Again, legal freedom may not have had an immediate on Şahin's daily life, and it was only when his circumstances changed and his situation became unbearable that he chose to fully activate his freedom through the courts. Şahin won his case when two witnesses testified that they had heard Fatıma call Şahin "my son" in their presence.[26]

Although the deceased Kara Fatıma may well have wished the man whom she called "my son" to be free, other still-living masters quickly came to regret declarations of parental devotion said in unguarded moments. The next entry in the manual, the "example of freedom decreed since 'my son' was said," has the master, Şaban, denying his Rus'i slave Yusuf bin Abdullah's claim that Şaban told him "you are my son." But Yusuf 's witnesses testified that they had indeed heard Şaban refer to Yusuf as his son, and so the court ruled that Yusuf was free.[27] Although it is theoretically possible that Yusuf and others in similar circumstances ran to court the moment their masters uttered similar phrases, whether intentionally or inadvertently, to secure formal confirmation of their freedom, it seems far more likely that most suits like these, represented in many 17th- and 18th-century *sukuk* manuals, were filed only after the close relations that had led to those expressions had deteriorated.

Whether "you are free" or "you are my son" or one of the other phrases that triggered manumission, the words once uttered could not be taken back, and they took effect instantly. As we have seen, the courts did not need to be involved in this process; unilateral manumission did not need to be documented or registered to be valid. Yet in all the instances of disputed manumission discussed above, there were multiple free Muslim men available to bear witness on behalf of the enslaved litigant. Without witnesses, the act could not be enforced—a slave could not win in a "he said, she said" situation. However, hearsay was admissible. For example, on November 30, 1663, the Russian-origin (*moskoviyyü'l-asl*) Ömer

25 For which phrases did, and did not, trigger unilateral manumission, see al-Marghīnānī, *Al-Hidāyah*, vol. 2, 50–53.

26 Hızır b. Osman, *Sakk-ı Hızır*, SK MS Hacı Mahmud Efendi 939, f. 18a–b.

27 Hızır b. Osman, *Sakk-ı Hızır*, SK MS Hacı Mahmud Efendi 939, f. 18b–19a. The compiler included in the margins a *fetva* of the *şeyhülislam* Sunullah Efendi (d. 1612), followed by a prooftext and further commentary, to explain the reasoning in these cases.

bin Abdullah claimed in the court of Istanbul that Hasan Bey had previously freed him, then reenslaved him. Hasan denied this, but witnesses testified that they had asked Hasan if he was planning to sell Ömer, and he had answered that Ömer had been manumitted. Though they were not witnesses to the initial declaration, and it is unclear if there were any, Hasan's declaration to his peers about Ömer's status was sufficient to uphold Ömer's claim, and his freedom was affirmed by the court.[28] But the conversation the witnesses reported is another reminder that the shift from enslaved to free labor was often, for both parties, invisible, and only became a point of contention when the formerly enslaved worker tried to assert some measure of independence that his legal status permitted him but that his social status within the household did not.

Contested Contractual Manumission: *Tedbir* and *Mükâtebe*

Whereas a slave holder could manumit his slave at any time with the simple words, "you are free," manumission was frequently contracted in advance, with the conditions under which the slave would be freed registered with the courts. Under Hanafi law, those promised manumission through *tedbir* or *mükâtebe* could not be sold or gifted to another. *Tedbir* was the mechanism by which masters arranged for slaves to be freed upon their death. Posthumous manumission was either absolute (*mutlak*) or conditional (*mukeyyet*), such as with the provision that a master's slaves were to be freed if he died on a particular journey or stipulating that they must be obedient, loyal, and never run away for the contract to remain in effect.[29] Because these arrangements were witnessed and registered with the courts, most disputes occurred only after the master died and his heirs tried to claim their slaves. While in some instances the heirs denied that a *tedbir* arrangement had been made at all, in others the dispute was over the value of the slave relative to the total value of the estate, since *tedbir mutlak* still included the slave in the inventory and appraisal of the estate. According to the rules of Islamic inheritance, bequests could not exceed one third of the value of the estate; this meant that if the deceased had no other property of significant value, the claims of heirs and creditors on the estate would take precedence, and the slave would be required to compensate them up to two-thirds of his estimated value. Such a slave could not be sold, but he would not be free until he worked off

28 Istanbul 12, 110b (29/R/1074); Yılmaz, ed., *İstanbul Mahkemesi 12*, 797.

29 For an example of the latter form of *tedbir mukeyyet*, see Mustafa b. Şeyh Mehmed, *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 20a–b.

this debt or paid them.[30] To prevent this burdensome situation, many masters employed conditional *tedbir* to make the manumission retroactive for a period (often forty days) before their death, thereby theoretically shielding the already manumitted slave from any financial obligation to or claims from their heirs.

Freedom suits generated by heirs attempting to inherit or sell people freed through *tedbir* (as well as via *ıtk*) were extremely common, perhaps more than any other variety of freedom suit. Virtually every *sukuk* manual of the late 16th through early 19th century includes several examples of suits originating in both the absolute and conditional forms of posthumous manumission, and they appear frequently in the court records. In nearly every instance, those claiming to have been freed via *tedbir* were able to call witnesses to confirm the arrangement and secure their freedom, but of course those who were unable to do so usually left no trace and remained enslaved; none of the manuals consulted here contain examples of failed *tedbir* freedom suits.[31] Although some heirs surely were ignorant of the deceased's arrangements, placing the burden on the enslaved to sue for and prove their freedom cost heirs little and could be worth a great deal if the erstwhile slave failed.

While examples of freedom suits lodged against heirs by slaves promised their freedom were plentiful, we also encounter confirmations of freedom that originated in the heirs actually suing those they claimed as slaves for disobedience. One of the *Sakk-ı Hacibzade*'s two examples of confirming *tedbir mutlak* has the eldest son of a deceased man suing his father's *cariye*, the Rus'i-origin Muslim Mulayim, in Istanbul. The man claimed that Mulayim was his father's slave and since she was included in his father's inheritance inventory, she belonged to him; he wanted the court to order her to obey him. Mulayim countered that her former master had contracted to free her upon his death via *tedbir mutlak*, and so she was freed from the "third of the inventory (*tereke*)," that is, the part that was his to freely bequeath. Having offered an alternative theory, the burden of proof fell on Mulayim when the plaintiff disputed this, but the ostensibly enslaved defendant was prepared to back up her claims. Her witnesses testified that she was subject to a *tedbir* agreement and her value relative to that of the estate as a whole meant that she was now free.[32]

Of course, those successfully manumitted via *tedbir*, like other freed slaves who struck out on their own, were vulnerable to reenslavement, especially if

30 See al-Marghīnānī, *Al-Hidāyah*, vol. 2, 54–57. See also see Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire: The Design of Difference* (New York: Cambridge University Press, 2010), 113.

31 There are, however, examples of heirs suing the former slaves for the money they believed they were owed, since the formerly enslaved defendant's value had exceeded one-third of the estate, e. g. *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 22b.

32 *Sakk-ı Hacibzade*, SK MS Fatih 2337, f. 41b–42a.

young or female. Consider the case of the "beardless youth" of Rus'i origin known as Ali ibn Abdullah, who appeared in the court of Istanbul on December 20, 1663. Three years earlier, Ali had been serving in the household of Mahmud Bey in a village in the Çankırı region of north-central Anatolia when Mahmud undertook in court before witnesses to free Ali via *tedbir*. Three months later, Mahmud died, and Ali, now free, departed for the town of Bolu, roughly 250 kilometers due west, to pursue a work opportunity. However, shortly after his arrival he was arrested as a fugitive by the superintendent (*nazir*) of Bolu, Dilaver bin Abdullah, who kept Ali as his personal slave. It is unclear how Ali came to be in Istanbul—he may have escaped for real this time—but Ali now sued Dilaver, represented in court by his deputy, for his freedom. When Dilaver's representative reiterated that Ali had been seized as a fugitive and denied any knowledge of his having been freed, two residents of Ali's former village in Çankırı, who were then studying in one of Istanbul's elite *medrese*s, came to court to testify that they had been witnesses to the *tedbir* agreement and that it had been fulfilled. One wonders whether Ali had fled to Istanbul specifically to find these young men, who may have been old friends and neighbors, knowing he could rely on their testimony as well as their support and connections, and they may have helped him to file suit and clear his name. Thanks to their intervention, Ali was declared free.[33]

Disputes over the other form of pre-contracted manumission, *mükâtebe*, were often rather different from those relating to *tedbir* or *ıtk*, and to judge by the manuals, *mükâtebe*-related freedom suits may have been the least common type of freedom suit. Although there were of course incidents of freedom suits from those who had been freed via *mükâtebe* and were subsequently abducted and reenslaved, like Ali ibn Abdullah above, most litigation specific to that form of manumission related to whether the contract itself had been fulfilled or violated.[34] As pioneering studies by Halil Sahillioğlu and Nur Sobers-Khan have shown, *mükâtebe* was widely employed by Ottoman slave holders vis-à-vis skilled slaves.[35] Whether they were silk weavers, shipwrights, cauldron-makers (as in the example given earlier in this chapter), or simply household servants, enslaved workers were frequently offered *mükâtebe* contracts upon or shortly after pur-

33 Istanbul 12, f. 128b (20/CA/1074); Yılmaz, ed., *İstanbul Mahkemesi 12*, 882–83. This is not dissimilar from one of the examples in the *Sakk-ı Hacibzade*, in which an emancipated Georgian sues an officer of the treasury for freedom, having been manumitted via *tedbir mutlak* and subsequently abducted, SK MS Fatih 2337, f. 41a–b.

34 Whereas all the *sukuk* examined here offer examples of *mükâtebe* contracts, not all of those that contain examples of *ıtk*, *tedbir*, *ümm-i veled*, and free-origin freedom suits contain examples of "confirming *kitabet*."

35 Sobers-Khan, *Slaves without Shackles*, esp. 156–74; Sahillioğlu, "Slaves in the Social and Economic Life of Bursa."

chase which specified a fixed quantity, value, or period of service after which they would be freed. Slaves subject to a *mükâtebe* contract could not be sold to another (the exception was if a slave later claimed inability or incompetence and requested before the kadi to be released from the contract), and ideally *mükâteb* slaves would continue to work in the same industry or household after manumission.[36] All these factors gave the enslaved, and their masters, every incentive to resolve disputes amicably and make litigation their last refuge.

The examples of these in the *sukuk*, whether they were of the money-type or service-type (examples of both were usually given), fell broadly into two groups. First, there were those where the slave claimed, and the master denied, that the contract had been fulfilled. That is, they were about the substance of the agreement, about whether the money had been paid or the work done as required. The manual of Hacibzade provides an intriguing example of this, heard in the Imperial Council chamber, in which the imperial gatekeeper Isa Bey sued his medium-height, open-browed, blue-eyed, Rus'i origin, Muslim slave Yusuf bin Abdullah, for disobedience. Yusuf countered that he had been Isa Bey's slave, but that three years earlier, on the occasion of his circumcision, Isa Bey had told him, "serve me for another year and I'll manumit you." As it had been three years, Yusuf argued that the term of service was complete and he was free; evidently, after serving an additional two years Yusuf grew tired of waiting for Isa Bey to honor his promise and simply stopped cooperating. When Isa Bey denied Yusuf's claim, Yusuf called witnesses who testified that they had witnessed the agreement and that it had been completed.[37]

Second, laborers freed via *mükâtebe* manumission who remained in or near their former master's household were just as susceptible as others to an heir's attempts to inherit them, forcing the former slave to sue the heirs and prove that the manumission agreement had been made and completed. For instance, the early 18th-century manual of Musazade gives the example of the "tall, blue-eyed, black-bearded, Hungarian-origin, infidel of *millet*, *zimmi* named Stefan veled Yorgi" who had been manumitted twenty years earlier after he had paid 300 *guruş* to his perfumer holder, Hasan bin Abdullah, as previously agreed. Stefan, described as a *zimmi* by the scribe on account of his acquired status as a free non-Muslim Ottoman subject, was forced to sue Hasan's daughter to have his freedom recognized when Hasan died and she claimed him as her slave. Stefan called

36 For examples of documenting *acız* to abrogate *mükâtebe*, see *Sakk-ı Sani Efendi*, BnF MS Supplement Turc 66, f. 25b; *Sakk-ı Timurtaşızade*, SK MS Esad Efendi 3612, f. 195a.

37 *Sakk-ı Hacibzade*, SK MS Fatih 2337, f. 43b.

witnesses to the original agreement with Hasan who testified that it had been made and fulfilled as Stefan described.[38]

Manumitting Mothers: *Ümm-i veled* Disputes

Enslaved women who bore their master's children could not be sold and were to be manumitted automatically upon his death. Freedom suits lodged by women claiming to be *ümm-i veled* thus hinged on whether they had in fact carried a child to term and whether their holder was aware of and acknowledged this fact, something that could be complicated by the fact that *ümm-i veled* manumission came into effect only after his death.[39]

This placed a serious and potentially insurmountable evidentiary burden on the woman forced to sue for her freedom, regardless of whether the defendant was the master trying to sell her or his heirs trying to keep her. Notably, this is one of the two areas where we encounter sample entries for unsuccessful suits in the *sukuk*. For instance, the late 17th-century *Sakk-ı Fındıkzade* contains one "example of confirming that she is *ümm-i veled*"—a Georgian woman in Istanbul successfully suing the wife and daughter of her former master—but two examples of failed suits.[40] The first of these, under the heading "her master swears that she is not *ümm-i veled*," has the Rus'i-origin Bağıçnan suing her master Receb, not for her immediate freedom, but to stop him from selling her to another. Bağıçnan claimed that she had borne Receb a son, Selim. Receb denied this. Although *ümm-i veled* status did not require the survival of the child, a plaintiff claiming to be the mother of her master's child might well find it impossible to find male Muslim witnesses who could attest to paternity, especially of a child who may not have lived long outside the womb. And so, when asked, Bağıçnan was unable to provide any evidence to support her claim. Because they disagreed, in accordance with "the declarations of the two Hanafi imams, Abu Yusuf the second imam and Imam Mehmed bin al-Hasan al-Shaybani," Receb was asked to

38 *Sakk-ı Musazade*, SK MS Atıf Efendi 1115, f. 24a–b; two other examples in the same manual of both money- and service-type *mükâtebe* suits, both involving Circassian slaves, are also against heirs trying to claim already free men, f. 26b–27b.

39 On *ümm-i veled* in the Ottoman context, see Zilfi, *Women and Slavery*, 109–13. Although *ümm-i veled*s were not generally subject to claims based on the paucity of the estate, in contrast with those to be manumitted via *tedbir*, the timing of the pregnancy vs. the size and date of debt acquisition could be a consideration in cases of insolvent estates; settling a large debt accumulated prior to the pregnancy in question could take legal precedence over the woman's guaranteed freedom.

40 *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 24a.

swear an oath that Bağıçnan had not given birth to his child and was not an *ümm-i veled.* Once he did so, the case was concluded in Receb's favor.[41]

In the second example—"she claims that she is *ümm-i veled* but is unable to prove it"—the Circassian plaintiff Neslihan sued the heirs of Ali Beşe, who died a martyr on Crete, for her freedom in the court of the Eyüb neighborhood of Istanbul. Neslihan claimed that she had given birth to Ali's daughter before he departed for the Cretan campaign (1645–69), but when she was invited to supply the court with the names of witnesses who had seen this child or heard her claim one as hers, she was unable to do so. In a rare reference to documentary evidence, the scribe noted that in the letters Ali sent his family from Crete, there was no mention of a child either. With no admissible evidence to overcome the denials of Ali's heirs, Neslihan was forced to remain in their custody.[42]

In both cases, the record is vague as to whether the child claimed by the plaintiffs was alive, and one might reasonably wonder if they had necessarily existed—for these women, suing was a potent form of resistance, even if it was unlikely to succeed. Women who endured concubinage had a clear path to legal freedom through *ümm-i veled* status. What is more, that status put an end to the trauma and dislocation of frequent resale, often multiple times in a year, that many enslaved women suffered. Both these factors gave enslaved women every reason to claim to be *ümm-i veled*, just as it gave their holders ample cause to deny it. The fact that the *Sakk-ı Fındıkzade* provided two examples of failed *ümm-i veled* freedom suits but none for *ıtk*, *tedbir*, or *mükâtebe* is suggestive of their relative difficulty and perhaps their frequency as well, since the manuals were intended to provide judges and scribes with useful models to follow. As was often the case with *ıtk*, and in contrast with *tedbir* and *mükâtebe*, men did not usually bring the enslaved mothers of their children to court to register their status. The fulfillment of the promise of manumission owed to these women ultimately depended on the household and its heirs observing the law.

Even the child in question could be an impediment to the mother's acquisition of the free status and financial security she was promised. Consider, for example, the suit of Fatıma in the late 17th-century manual of Hacibzade. Fatıma had had a son with her master, Hacı Mustafa, which made her an *ümm-i veled.* Many years

41 Ibid., f. 24b. The scribe's invocation of Hanafi authorities was not uncommon in such circumstances. The entry concludes with the following: *istihlaf etmeğin fi'l-vaki işbu Bağıçnan firaşından veled tevelled edüb ümm-i veledi olmadığına imameyn hanafeyn Abu Yusuf el-imam es-sani ve imam Mehmed bin al-Hasan eş-Şaybani kavlları üzere mezbur Receb'e yemin teklif olundukda olduğu ulema vafık el-mes'ül yemin bi'llah el-ali el-ala etmeğin ma vaki bi'l-taleb ketb olundu.* For a successful example of "proving *ümm-i veled*," in which an enslaved woman sued a treasury clerk after her *esirci* holder illegally sold her, see *Sakk-ı Hızır*, SK MS Hacı Mahmud Efendi 939, f. 19b–20b.

42 *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 26a.

later, she and Hacı Mustafa made plans to marry, and to do so, he would first have to manumit her. There may have been great affection between the two of them, but the decision to manumit and marry likely had more to do with her future financial security. With Hacı Mustafa nearing the end of his life, both were anxious to have money set aside for her maintenance that would be wholly hers after he was gone. To that end, Hacı Mustafa promised Fatıma a substantial dower, but he died suddenly, throwing Fatıma's future in doubt. Slavery and marriage, two institutions with certain legal similarities, collided when Fatıma sued her own son, Ali Çelebi, to secure both formal legal recognition of her free status and the dower his father had promised her.[43]

Recorded under the heading, "another example [of proving freedom] at the same time as a suit over marriage," the entry alludes to the complex family dynamics of households that combined enslaved and free and sometimes pitted blood relations of unequal social and legal status against one another. Here the financial interests of the son conflicted with those of his enslaved mother, who as a concubine would not be entitled to the funds that as a widow would guarantee her a comfortable life. Upon questioning, Ali Çelebi acknowledged that Fatıma was his mother—there was no question, then, that she was now legally free—but he denied any knowledge of a marriage with Hacı Mustafa or of an earlier manumission, concluding that she was not owed anything. However, witnesses confirmed Fatıma's account, and the court ruled that Ali Çelebi must pay Fatıma the promised dower out of his deceased father's estate.[44] It is not hard to imagine why Hacibzade might have selected this case for inclusion in his manual, for besides being a striking example of family dysfunction, it illustrated well the complex dynamics between free and enslaved, men and women, and mother and child and the difficult task facing the kadis and scribes who had to decide and record their disputes.

Free-Origin (*hürrü'l-asl*) Freedom Suits

Although in some *sukuk* manuals the origins of the enslaved were removed from the examples along with the names, dates, and other identifying details, in most the ethnonyms were preserved. The outstanding majority were described as being "of Rus'i origin." This seems to reflect the reality of the slave market as well, especially in 17th-century Istanbul. But whereas all the examples in the *sukuk* of

43 *Sakk-ı Hacibzade*, SK MS Fatih 2337, f. 38b–39a. On the parallels between slavery and marriage, which are usually treated one after the other in *fiqh* manuals, see Zilfi, *Women and Slavery*; the similarities between the oral declarations for manumission and for divorce are also noted in Marghīnānī, *Al-Hidāyah*, vol. 2, 50.

44 *Sakk-ı Hacibzade*, SK MS Fatih 2337, f. 39a.

manumission transactions involved people who were foreign born and legally enslaved, this was not true of all of the freedom suits. Often as many as a third of the examples in the *sukuk* literature, and perhaps a fifth of the freedom suits heard in 17th-century Istanbul, were those filed by or on behalf of Ottoman subjects "of free origin" who had been enslaved illegally, like this "example of what is written in proving freedom," from the *Sakk-ı Hacibzade:*

> In the solemn court convened in the *divan* of his excellency the *kaymakam*, the bearer of this document, the free woman Saliha bint Fulan, from so-and-so neighborhood in protected Istanbul, sued Murteza bin Fulan, from so-and-so neighborhood in the aforementioned protected city, who appeared in court with the open-browed, black-eyed young girl named Ayşe bint Mehmed, and she stated:
>
> "This young girl Ayşe is my own daughter, born by me from the bed of my husband, Mehmed, who is absent from the court. For two months she has been missing, and now I have found her in the possession of this here Murteza. I request that he be questioned and that his possession of her be invalidated."
>
> Upon questioning, the aforementioned Murteza responded: "Hüseyin Ağa, the replacement of the previous Master of Horse, Müsli Ağa, who is old and went on the noble Hajj, said of this young girl, 'she is my concubine and my slave' and he sold her to me for forty *esedi guruş*, and for my part I bought and paid for her to be my slave. I do not know her to be free and the plaintiff Saliha's daughter," and he denied [her claim].
>
> When evidence was requested from the aforementioned plaintiff, the upstanding Muslim witnesses Fulan bin Fulan and Fulan bin Fulan appeared in the court in order to testify, and each testified that "indeed, this young girl Ayşe was born of this free woman Saliha and is the aforementioned Saliha's daughter; we are witnesses to this matter and we testify thus." After each one gave legal testimony, in observance of the conditions of accepting testimony their testimony was accepted, and in accordance with the aforementioned testimony, the correct and clear legal ruling affirmed the aforementioned young girl's freedom and invalidated the defendant Murteza's possession. What happened [was written as requested].[45]

The example displays features common to many free-origin freedom suits, beginning with the unusual venue. Although any court could hear such a freedom suit—again, three of the twenty-six freedom suits recorded in the 1663–64 register for the court of Istanbul were from plaintiffs claiming "free origin"—higher authorities often got involved in the process of finding and freeing illegally enslaved Ottoman subjects. In this case, Saliha likely complained to the authorities that her daughter Ayşe had gone missing, and when it was learned that she was being held by Hüseyin Ağa, a high-ranking court official, the *kaymakam* (the grand vizier's deputy and stand-in when he was on campaign) took the lead in securing her release, culminating in the court that was convened in his *divan* in which Ayşe's free origin was legally confirmed. Likewise, the *Sakk-ı Musazade*

45 *Sakk-ı Hacibzade*, SK MS Fatih 2337, f. 40a.

provides an example of a free-origin freedom suit (one of six free-origin freedom suits out of eighteen total freedom suits contained in the manual) heard in a court convened by the grand vizier, in this instance involving a Muslim Georgian woman from Ottoman-occupied territory who was trafficked to Vize, across the Black Sea in Thrace.[46] It appears that many illegally enslaved plaintiffs came or were brought to the Imperial Council, the Ottoman Empire's premier decision-making body, and their cases were frequently handed off to the Rumeli *kazaskeri*, the military judge of the European half of the empire, who had a seat on the council and was the highest-ranked judge in the empire. He heard and decided their cases both in the *divan* itself and at his home, and the late 16th- and 17th-century *kazasker*'s registers contain large numbers of such suits. Others got their opportunity to sue for their freedom when they were sold and their buyer attempted to register the purchase with their local court. Wherever free-origin suits were heard, whether in the chambers of the Imperial Council or in the home of the nearest kadi, their form and content were broadly similar.

Just like all transactions involving the enslaved, it began with the formulaic physical description (*hilye*). Like manumissions and other freedom suits, these often took note of their religion as well, particularly if they were non-Muslims or converts to Islam. Ethnicity (*cins*), however, was not usually referenced in these cases, for in most instances Ottoman subjects were identified simply as Ottoman subjects, regardless of their geographic origin or the language they spoke. The only exceptions were those from Ottoman tributary states, like Moldavia and Wallachia, who were indeed Ottoman subjects but inhabited autonomous principalities largely devoid of Ottoman administration; those who had voluntarily emigrated to Ottoman domains in order to embrace Islam; those who inhabited frontier territories recently conquered by the Ottomans, like the Georgian woman whose suit was heard in the divan of the grand vizier; and Muslims who were not Ottoman (e. g. Safavid subjects).

When, as in every other suit, the plaintiff—usually the illegally enslaved person though sometimes, as above, a family member or official—made her statement, the script she followed, or the pattern into which the scribe reshaped her words, was fairly consistent, referencing her place of birth, the names of her parents and their free status, and the free status she had when she was wrongfully enslaved. For example, when the "medium height, open-browed, sky blue-eyed woman Katebe bint Mustafa" sued her holder, Ömer bin Ramazan, in the court of Galata, her opening statement began "I was born of a free-origin woman and I am of free origin; my birthplace is the village of Muskuru in the jurisdiction of Baf on the island of Cyprus. My father's name is Mustafa and my mother's name is

46 *Sakk-ı Musazade*, SK Atıf Efendi 1115, f.22a–b. The chapter containing the entries on manumission and freedom suits, of which there are many more of the latter, is f. 20b–31b.

Abida." It concluded with the contention that "even though my parents and I were not subject to enslavement, the aforementioned Ömer illegally took possession of me" and the demand that he be questioned and she then set free.[47]

Katebe's case record, from an anonymous *sukuk* from the first half of the 17th century (which unusually retained many of the details and dates in its entries), is fairly typical of these suits, including the long distance she had traveled in bondage from her home in Cyprus to her suit in Galata. Although some court cases provide details of the misfortunes these plaintiffs suffered, which often began with abduction by soldiers or human traffickers or betrayal by spouses or supposed friends—or here, in Katebe's case, perhaps a pirate raid[48]—many only identify the current holder, who inevitably claimed to have purchased the person from someone else. Ömer, Katebe's holder, said he bought her from a slave dealer and denied she was of free origin.

Katebe's case, like most others, hinged on the testimony of free, male, Muslim witnesses who could confirm her "free origin." Katebe's case was included in the manual, however, not just as an example of a freedom suit, of which there were several, but to show how to record witnessing at a remove, via additional witnesses. Whereas in most instances in-person testimony was required from a minimum of two admissible witnesses, it was possible for the initial evidentiary phase to be outsourced. In this instance, that meant that Katebe's two witnesses, residents of her village on Cyprus, testified to her parentage and free origin before the nearest kadi, in Baf, and the court witnesses to those proceedings, two for each original witness, then traveled to Galata, where the four of them repeated the testimony that they had heard back on Cyprus.

The example demonstrates some of the challenges of securing witness testimony, which were far greater in these cases than in conventional freedom suits, where witnesses to the manumission proceedings or to the declarations of the master might be more easily located thanks to the local networks into which the plaintiff had been assimilated over years of service to a household. Long distances were not the only problem. In regions with limited Muslim settlement, finding witnesses who could testify against a Muslim defendant could be virtually impossible. Unsurprisingly, then, free-origin freedom suits are the other variety, along with *ümm-i veled*-related suits, in which failed examples appear in the *sukuk* literature, as well as in the court records.[49] And yet a survey of some 70 free-origin suits culled from 17th-century Istanbul-area court records shows a win-rate of over 90%.[50] Just as with other freedom suits, we must presume that

47 Anonymous, *Sukuk*, SK MS Esad Efendi 933, f. 161a.

48 On which, see Joshua M. White, *Piracy and Law in the Ottoman Mediterranean* (Stanford, CA: Stanford University Press, 2017), 36–59.

49 *Sakk-ı Musazade*, SK Atıf Efendi 1115, f. 29b–30a, 31a.

50 White, "Of Free Origin."

many, if not most potential plaintiffs left no mark in the records owing to lack of evidence.

For the illegally enslaved residents of the Ottoman tributary territories of Moldavia and Wallachia, however, there were mechanisms to circumvent the problem of finding local Muslim witnesses. The Rumeli *kazaskeri* heard many such cases in the 17th century, and some *sukuk* contain dedicated examples with the heading "example of confirming subjecthood (*riayet*) and free origin." These cases followed the same structure as those described above, with the plaintiffs identifying their parentage and place of origin, and their captors usually claiming that they had purchased them and that they believed them to be "of Rus'i origin." But when the time came for the presentation of evidence, it was sometimes the janissaries who had escorted them to court or traveling merchants who testified, not residents of their hometowns. Converted Moldavian and Wallachian traders resident in Istanbul appear to have been called upon in these cases to speak with (and possibly interpret for) plaintiffs brought before the *kazasker* or other judges and to act as expert witnesses. As male Muslims, they could testify that the plaintiffs were free, Ottoman Moldavian or Wallachian subjects, even if they did not know them or their villages, or anyone else who lived there, personally.[51]

In some such cases, the scribes would describe the process of investigating and confirming the witnesses' bona fides in greater detail than normal, a tacit acknowledgement of the remove at which these witnesses made their declarations, which nevertheless followed the standard script for their testimony that confirmed the precise parentage and origin claims of the plaintiff. This procedure was occasionally employed in some other instances, such as when the authorities evidently already knew the plaintiffs were "of free origin" but determined that it was logistically impossible to identify and transport witnesses from their distant origins to Istanbul. The imperial capital was sufficiently large and diverse that court officers could usually find someone who hailed from whichever region was necessary to reliably confirm origin, despite the lack of any direct knowledge of the plaintiff's circumstances, but it is abundantly clear that this practice was exceptional.[52] It could even be employed, albeit rarely, to backdoor in otherwise

51 *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 27a–b; *Sakk-ı Hızır*, SK MS Hacı Mahmud Efendi 939, f. 21a. From the Rumeli *kazasker*'s court, referred to as the Rumeli Sadareti Mahkemesi (RSM), see for example RSM 65, f. 24a (13/M/1050) and (14/M/1050), in which illegally enslaved Moldavian women were brought to court by janissaries and subsequently freed.

52 E.g. Istanbul 18, f. 149a (17/R/1087); Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri* (İstanbul: İSAM, 2010–12), 18:502, where the plaintiff was from Silistra (in Bulgaria), and Bab 3, f. 115a (22/N/1077); Yılmaz, ed., *İstanbul Kadı Sicilleri*, 17:745, where the plaintiff was from Mardin (in southeastern Anatolia).

inadmissible non-Muslim (*zimmi*) testimony by having the Muslim investigators testify in court about what they had learned.[53]

We know little about how witnesses were summoned to appear for free-origin suits and, when they traveled from distant locales to testify, who paid for their journeys or where (or with whom) the plaintiffs stayed in the interim. We can surmise that most illegally enslaved plaintiffs found their way before kadis either through governmental intervention, flight, or when their sale was notarized, but much remains unknown, and probably unknowable. What is clear is that the illegal enslavement of Ottoman subjects in the 17th and 18th centuries was common and widespread; that it affected Muslims, Christians and Jews; that at least two-thirds of those illegally taken were women; that roughly half of the litigants (i. e. those who actually had their cases heard and recorded) were Muslim-born; and that the delay between capture and a successful suit for freedom could range from a few days to many years. Finally, the ostensibly high win rate notwithstanding, it is clear that failure owing to lack of evidence was not uncommon for captives claiming to be illegally enslaved Ottoman subjects. However, while there is every reason to believe that most of those who came to court, whether they won, lost, or never had their case heard, were in fact Ottoman subjects, at least some non-Ottoman captives taken from the frontiers also tried to claim free origin. After all, the ambiguity of subjecthood and origin that made the capture and sale of Ottoman subjects possible and profitable could cut the other way, and an enslaved person trying to derail their sale to a new buyer might raise the specter of "free origin" to scare them off, even if they had little hope of winning their freedom outright.[54]

The evidence for the frequency of these kinds of suits is not limited to the suits themselves. It includes as well the many suits for restitution of funds that they spurred. These are routinely represented in the *sukuk* in the same chapter with manumission, often after the various examples of freedom suits, and they were rather common in the court records of 17th-century Istanbul (and, again, to go by the *sukuk*, elsewhere too). Defrauded buyers sued to recover the money they had paid for slaves who were in fact free Ottomans, and their sellers then sued their suppliers, and then those sued their suppliers, and so on, moving up the chain of holders until the trail ran cold. The convoluted chains of ownership these suits reveal provide further evidence for how often slave sales took place outside the regulated market, and how often many slaves, especially women, were resold. Illegally enslaved plaintiffs often endured several holders over the months or

53 *Sakk-ı Hacibzade*, SK MS Fatih 2337, f. 40a–41a. On the challenges of proving subjecthood, see Joshua M. White, "Piracy of the Ottoman Mediterranean: Slave Laundering and Subjecthood," in *The Making of the Modern Mediterranean: Views from the South*, ed. Judith Tucker (Berkeley: University of California Press, 2019), 95–122.

54 White, "Of Free Origin."

years before they finally got the chance to sue, and rapid turnover probably characterized the experiences of many whose enslavement was considered legal as well. There was, in addition, a cruel twist that could place the responsibility for compensating the holder squarely on the shoulders of the person whom he or she had wrongly held in bondage.

Most of the more comprehensive manuals contain entries representing what were called "I'm a slave, buy me" suits.[55] These were sometimes combined with the freedom suit itself, wherein the plaintiff successfully proved their free origin but was then confronted with the allegation that they had encouraged their present holder to buy them, which they may have done under threat of violence or to escape an abusive captor. In other instances, after a successful freedom suit, the holder sued the seller to recover his money, and then buyer sued seller and buyer sued seller, until a buyer who could not locate the seller instead sued his former slave for the money on the grounds that they had deceived him or misrepresented their origins. Scribes indicated this by putting the jarring words, "I'm a slave, buy me," into the erstwhile slaves' mouths at the moment of purchase. Since court scribes looked to the *sukuk* for models, this phrasing was continuously reproduced in the court registers as well.[56]

Whereas the buyer of a free person, whether one of "of free origin" or previously manumitted, was to some degree responsible for their failure to perform their due diligence and could otherwise seek compensation only from the seller, the supposed deceit of those free people who told prospective buyers that they were in fact slaves made them financially liable for their former bondage. In such cases, the buyer had first to try to locate the seller, but if he could not, he had a right to seek satisfaction from his former captive instead. If he could call witnesses who could support this claim, or if the now-free person admitted it, the court would order him to compensate his former holder. So, for example, after the "beardless boy" Mustafa won his freedom, his former holder Mehmed Ağa

55 *Sakk-ı Timurtaşızade*, SK MS Esad Efendi 3612, f. 224b–225a; Mustafa b. Şeyh Mehmed, *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 27b–28b; *Sakk-ı Hızır*, SK MS Hacı Mahmud Efendi 939, f. 107a–108a; *Sakk-ı Musazade*, SK Atıf Efendi 1115, f. 67b–68b. Although these mostly involved illegally enslaved Ottoman subjects, the procedure was the same for previously manumitted slaves who were wrongly reenslaved and sold. The relevant example from the *Sakk-ı Hızır* involves a previously manumitted Rus'i boy who was wrongfully reenslaved, but after winning his freedom for the second time was ordered to repay the buyer whom he had "deceived" for both his price and the value of a manuscript Qur'an the buyer had given the seller "as a gift." That entry also has an Arabic proof text written in the margin that cites the *Jāmiʿ al-Fuṣūlayn* of Ibn Qāḍī Samāwānih (d. 1420) which explains the legal reasoning behind the decision.

56 For 17th-century examples of "I'm a slave, buy me" (*ben kulum beni al*, or *ben abd-ı mamluğum beni iştira*) suits, see RSM 68, f. 50b (23/Ş/1054); Galata 40, f. 10b (Evasit/Z/1024); RSM 21, f. 54a (Evail/ZA/1002). The latter is published in transcription in Yılmaz, ed., *İstanbul Kadı Sicilleri*, Reg.12: 219.

sued him for his purchase price since he did not know the name of the person who had sold him Mustafa; Mehmed Ağa claimed that he had asked Mustafa whether he was a slave and had reached the age of legal adulthood (i. e. puberty), which would make him responsible for his words, and the boy had replied, "I'm an adult (*balığ oldum*) and a slave of Georgian origin, buy me."[57] Mehmed Ağa's assertion that Mustafa had intentionally deceived him notwithstanding, many of those illegally enslaved were young children and under unimaginable duress, so it is hardly surprising that they gave the answers that their captors demanded. Another entry, also from the *Sakk-ı Fındıkzade*, better illustrates this point.

Mehmed Beşe encountered the captive Mehmed bin Yusuf, a boy who had been renamed Piyale, in the market of Arnavud Belgrad (present-day Berat in Albania). Before making his purchase, Mehmed Beşe questioned the young boy —Are you a slave? Do you belong to anyone else? If I buy you, do you promise you will not lodge a freedom suit or dispute my possession? To this, the boy Piyale supposedly replied: "I am a slave of Croatian origin; buy me, and I guarantee you my price if while in your possession another claim arises and your possession is disputed or if I sue for freedom." Satisfied, Mehmed Beşe bought Piyale. Soon thereafter Mehmed Beşe sold Piyale to Ali Ağa, and then Ali Ağa sold him to Mehmed Ağa. While in Mehmed Ağa's custody, Piyale successfully sued for his freedom and returned to his old name, Mehmed bin Yusuf. Mehmed/Piyale may have been perhaps ten or eleven years old when he was bought in Arnavud Belgrad; he may not have been circumcised when he was abducted, making it easier to confuse him for an "enemy infidel," and he certainly could not be expected to fully understand his situation when Mehmed Beşe questioned him. Whatever promises he made, it is unlikely they bore much resemblance to the words the scribe put in his mouth. Nevertheless, when Mehmed bin Yusuf finally secured his freedom, he triggered a series of suits that ultimately boomeranged: Mehmed Ağa sued Ali Ağa, and Ali Ağa sued Mehmed Beşe, and finally, when Mehmed Beşe could not find the man who had sold him "Piyale," he sued the erstwhile Piyale himself, Mehmed bin Yusuf. By this time, three years had passed since their first meeting in Berat.

Once in court, Mehmed bin Yusuf did not deny that he had previously said he was a slave, but he claimed he did so under duress, that his captor had beat and kicked him and threatened to do worse if he said otherwise. He had been a terrified child and there may have been a language barrier as well. It did not matter. Without witnesses who could testify that he had been forced to say what he did, he would have to compensate Mehmed Beşe.[58] It is unclear how an

57 *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 28a–b. On the importance of having reached the age of reason, see al-Marghīnānī, *Al-Hidāyah*, vol. 2, 49–50.

58 *Sakk-ı Fındıkzade*, SK MS Laleli 1096, f. 28a–b.

adolescent, recently released from bondage and removed from his hometown, would manage this, but it may be that for many of the illegally enslaved saddled with such debts, winning a freedom suit did not mean an end to involuntary servitude.

Unsurprisingly, illegally enslaved Ottoman subjects often remained in bondage for many years, and while some were stymied by the lack of evidence to prove their origins, others seemingly abided their situation until transfer or sale made their position intolerable.[59] Some asserted their free origin only after they had already become free by other means. Let us return to the court of Istanbul, where on October 21, 1663, Ümmügülsüm bint Abdullah sued her former master Râbia Hâtun bint el-Hâc Ali. She wanted her money back.

Ümmügülsüm declared that she was originally from the village of Rakite, outside Sofia. The daughter of free Ottoman Christians, she had long ago been abducted and subsequently sold to Rabia Hatun. Rabia had offered Ümmügülsüm a *mükâtebe* contract which would give her freedom in exchange for 8,000 *akçe*. Having earned this money and bought her freedom, Ümmügülsüm now wanted it all back. For her part, Rabia said that she had purchased Ümmügülsüm for 7,000 *akçe* and had then offered her a *mükâtebe* manumission in exchange for 8,000 *akçe*, but she denied any knowledge of Ümmügülsüm's free origin. Evidently, once freed, Ümmügülsüm had returned home to Sofia to gather evidence. She now presented the Istanbul kadi with a signed and sealed document from the kadi of Sofia which was dated from just over a month earlier and declared that her parentage and free origin had been confirmed by local Muslim witnesses from her village. When Rabia Hatun challenged the authenticity of the document, two of the witnesses to the original proceedings named on it appeared in the Istanbul court to corroborate it, and their testimony was accepted.[60] For whatever reason, Ümmügülsüm had not tried or had been unable to sue for her freedom while in Rabia's service, and evidently she had at some point converted to Islam as well. Although we know little about how witnesses were summoned when plaintiffs asserted their free status, cases like this suggest that even when admissible witnesses could theoretically be located, they might not be. For Ümmügülsüm, it took manumission for her to finally prove that she had always been free.

59 White, "Of Free Origin."

60 Istanbul 12, f. 89a (19/RA/1074); Yılmaz, ed., *İstanbul Mahkemesi 12*, 696.

Conclusion

What did it mean to be free in early modern Ottoman society? More than anything else, it meant not being a slave; it meant the full suite of legal and religious rights and responsibilities that applied to Ottoman subjects of their gender and faith community. These were worth fighting for, as the many examples discussed above have demonstrated. But freedom was certainly not indicative of social status in the Ottoman Empire, where the grand viziers and the mothers of the sultans were often legally enslaved and the most desperate and destitute could be legally free.

With the exceptions of redemption and ransom, the purpose of manumission was not really to make the slaves "free," but rather to more tightly integrate them into the households they served and into Ottoman society as a whole.[61] Under their patrons' tutelage they might reproduce the Ottoman system of household slavery themselves, just as Kaytas had been trying to do with the assistance of his former holder, Mısırlı Mehmed, when Kaytas asked Mısırlı Mehmed to buy him a slave at the beginning of this chapter. Manumission signified a change in legal status, but because there was not necessarily a significant corresponding change in position or function within the household, the importance, extent, and durability of the former slave's "freedom" were unclear until tested. Nevertheless, former slaves were frequently prepared to fight to defend their rights.

For many manumitted slaves, continuing in the same roles and duties as before, the need to document or prove freedom arose only when someone tried to sell them or the status quo was otherwise altered, such as by the death of their patron or their attempted departure from the household. It is therefore of little surprise that, in the outstanding majority of freedom suits, the defendants were the former master's heirs. Whether they ignored or were ignorant of the deceased's arrangements, heirs had much to gain or lose, depending on whether the deceased's retainers were free or enslaved. They thus denied that unilateral manumissions had previously occurred for long-time members of the household, denied that *tedbir* arrangements had been made, denied that *mükâtebe* contracts conditions had been fulfilled, and denied that enslaved women had borne the deceased's children. In almost every instance, whether in the examples provided in the *sukuk* literature that were designed to guide judges and scribes or in the court registers themselves, the plaintiffs in these suits were able to call witnesses to the arrangements who could confirm their freedom. It is critical to note, however, that this fact further demonstrates the resilience of the deceased's household and the slave's agency within it, with its various members, allies and

61 Sobers-Khan, *Slaves without Shackles*; Jane Hathaway, *The Politics of Households in Ottoman Egypt: The Rise of the Qazdağlıs* (Cambridge: Cambridge University Press, 1997).

associates typically providing the witnesses to the manumission declarations and agreements that the deceased's heirs called into question. But when these associates failed to rally around the erstwhile slave or could not be found in sufficient numbers, the unequal power relations between slave holders and the formerly enslaved were made manifest, and the would-be plaintiff might be returned to bondage or sold without leaving a trace in the record.

That social status and slave status must be disaggregated is further exemplified by the freedom suits that originated with Ottoman-subject household servants who, though "born free," were wrongfully claimed or sold by employers or their heirs.[62] Whereas the tight integration of the formerly enslaved and other free retainers into households was what made them vulnerable to seizure or reenslavement by heirs and creditors, it also provided many with formidable protection. Those who struck out on their own post-manumission were hardly secure, as attested by the many suits from former slaves abducted by slave traders (*esirci*) or their suppliers, or arrested as fugitives. These, as we have seen, included men and women manumitted via every legal avenue, but whose freedom, however it had been attained, became subject to doubt or dismissal the further they traveled from the community in which it had been granted. Manumitted slaves could and often did acquire a variety of paperwork to document their free status, including the *itâknâme*, but these evidently provided little protection from the unscrupulous. In the end, only witnesses, people from the community in which the formerly enslaved had been rooted, could confirm their freedom; in short, the manumitted, though legally free, were expected to stay put.

The number and variety of Ottoman freedom suits is indicative of the tenuous nature of the freedom that manumitted slaves were granted and that freeborn Ottoman subjects claimed as their birthright. It was children, travelers, and people on the margins, very much including manumitted slaves who left the household, who were most vulnerable to (re-)enslavement. Freedom did not mean free movement or free association, and those who were not integrated into —or were sufficiently far removed from—households, neighborhoods, and religious communities often lacked the wherewithal to prove their identities and assert their freedom successfully.

The traffic in illegally enslaved Ottoman subjects depended on this fact. Children were kidnapped from frontier communities, women were abducted from fortress towns or sold into slavery by their betrotheds, and residents of tributary principalities were snatched by soldiers and carried far from their homes. All might sue for their freedom and win it, provided they could locate admissible witnesses or get the attention of the right officials, but this was difficult for most and impossible for some. The lengthy chains of ownership that

62 E. g. *Sakk-ı Musazade*, SK Atıf Efendi 1115, f. 30b.

preceded many freedom suits—and some *sukuk* gave examples "to the third degree" for the restitution suits they spurred[63]—underscore the fact that freedom, once lost, was not readily regained. And when they finally appeared in court, as people unknown in the community and subject to the ownership claims of another, their physical appearance was described in the record just as it was for current and former slaves, even though by the time the scribe wrote the *hüccet*, following the models provided in the *sukuk* literature, the plaintiff 's freedom had already been confirmed or denied.

The fact that freedom suits were a common feature in the manumission chapters of the early modern *sukuk* literature reveals the scribal need for guidance, which began in the last decades of the 16th century when the language of the courts for various procedures, in particular the documenting of sales and contracts, including manumission, transitioned from Arabic to heavily Arabic-infused Ottoman Turkish in jurisdictions across the northern tier of the Ottoman Empire. Freedom suits were not a novelty before then, but the increasing number and complexity of the examples presented in the 17th- and 18th-century *sukuk* suggest that scribes' need for guidance had in no way been reduced by the standardization of the language of the courts. The success of that standardization meant that the compilers of new *sukuk*, while not neglecting to present basic examples of what was to be written in everyday transactions, could focus on assembling more useful examples of complex or challenging cases that spoke to the needs of the judges and scribes of the day and illustrated the richness and importance of their own careers. Our attention to these developments is essential to understand what is particular to the individual case and to reconstruct something of the enslaved plaintiff 's agency and experience in asserting freedom before the kadi. These things are only possible if we first take into account how scribes and judges framed litigants' disputes, reshaped their words, and decided their cases—and why certain cases were recorded in the court registers and untold numbers were not.

While disputes between the enslaved and their holders, especially over manumission, may have occurred at a relatively constant rate across the early modern period—a rate that, if the Istanbul court in 1663–64 is at all representative, may have been one contested manumission for every four registered with the courts—it is reasonable to wonder if, in an era of declining battlefield success, the illegal enslavement of Ottoman subjects and the rate at which they sued for freedom increased. A common feature on the dockets of 17th-century Istanbul-area courts, free-origin freedom suits appeared in large and growing numbers in 17th- and 18th-century *sukuk*, as did the litigations that they spurred, as buyers sued sellers, who sued sellers who, sometimes, sued the unlucky former captive.

63 E. g. *Sakk-ı Sanizade*, SK MS Atıf Efendi 1113, f. 32a–b.

And so, we might well ask what exactly freedom meant, both for the Ottoman subjects "of free origin" who won recognition of their freedom and for those emancipated former slaves who had it reconfirmed. Their freedom suits tell us of their will to resist, but precious little about their lives before they pleaded their cases and even less about what may have awaited them afterward. But it appears that a return to their former home and their former life, wherever and whatever those may have been, was not in the cards for many of these plaintiffs. Rather, those who sued and won their freedom may have hoped to assert a new position in their old household, to negotiate their entrance into a new household, or to attempt to establish their own household, and in so doing form the connections and associations that would offer the security and protection that their formal legal status as free people had not.

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Trading Slaves

Zübeyde Güneş Yağcı

Slave Traders (*Esirciler*) in the Ottoman Istanbul

The word *asir*ʿ derives from Arabic, the equivalent of which in Turkish is *tutsak,*[1] in English captive or prisoner.[2] It means a person taken captive by the enemy during war. Slave and servant also bear the same meaning, though in documents and sources, slaves who came into the possession of traders were generally referred to both as slaves and captives. The Ottoman State maintained the customs of this period and continued the employment of slaves, which was not forbidden in Islam. The captives of war as well as slaves born from slave mothers and fathers closed the gap in the labor force in many fields.

Slaves were commodities that could be purchased and sold; there was a trade, a market, buyers and sellers of slaves, and even traders who failed to comply with the slave-trading regulations. Those who carry out these transactions buying and selling slaves were known as slave dealers. People who purchase and sell slaves on a larger scale were called slave traders.[3] Yet those who transported slaves to Istanbul were not known as slave traders, but as *celeb,* meaning commodity traders[4]. Groups of merchants engaged in slave trading were known as *slave dealers, slave traders, slave merchants,* and *slave marketers.*[5] Thus, briefly, those who are described as slaves had no freedom or liberty and were forced to accept others as their masters and were purchased and sold or handed down as legacy

1 *Türkçe Sözlük* (Ankara: Türk Dil Kurumu, 2005), 650.

2 *Oxford Wordpower Dictionary* (Oxford: Oxford University Press, 2006), 106, 564.

3 For *esirci* in Turkish, see BOA. *C.BLD.*, no. 6350; *İstanbul Kadı Sicilleri, Rumeli Sadâreti Mahkemesi, 80 Numaralı Sicil* (*H. 1057–1059 / M. 1647–1649),* ed. Coşkun Yılmaz, (İstanbul: İSAM, 2011), 78/51.

4 BOA. *C.BLD.*, no. 6996, 26 Cemaziyelevvel 1163 (3 May 1750); BOA. *İ.MSM.*, no. 30/831, 14 Rebiülevvel 1264 (19 February 1848).

5 For *esirci taifesi*, *esirci esnafı* in Turkish, see BOA. *HAT.*, no. 1106/44621; 754/35631; 491/24051; BOA. *C.BLD.*, no. 51/2512; BOA. *C.ZB.*, no. 43/27; *İstanbul Kadı Sicilleri, İstanbul Mahkemesi, 18 Numaralı Sicil* (*H. 1086–1087/M. 1675–1676)*, ed. Coşkun Yılmaz, (İstanbul: İSAM, 2010), 434/453; *İstanbul Kadı Sicilleri, Bâb Mahkemesi, 3 Numaralı Sicil* (*H. 1077 / M. 1666–1667),* ed. Coşkun Yılmaz, (İstanbul: İSAM, 2011), 98/15; For *esir bezirgânları* in Turkish, see BOA. *C.MTZ.*, no. 20/978.

and given in the redemption of debt.[6] Financially, they were subjects of legal procedures, though in personal issues such as faith, worship, and fasting they were no different from free citizens. Slave traders who were subject to legal and financial procedures were those who traded individuals known as speaking commodities.[7] In other words, slave trading was the occupation of people who purchased and sold humans. In this chapter, I aim initially to study the organization of an occupation that involved the trading of humans in the Ottoman State, their position within the society, and the (between the lines) attitude of society regarding the trading of humans. I chose Istanbul as the focal location as it has the most documents and sources—and was then the largest slave market in the country.

Slave traders who were engaged in selling slaves were members of a guild called the *esirci esnafı bezirgânları* or the Slave Dealer's Guild. Evliya Çelebi wrote that the *Esirci esnafı bezirgânları* consisted of 2,000 members, and that their shops had slave rooms.[8] Slave traders and slave brokers who owned rooms in the *hans* were bound in a sequence of suretyship. If someone failed to comply with the regulations, all were held responsible. Those without reliable sureties were expelled from the guild. There were occasional inspections, and those without sureties were subsequently banned from slave trading.[9] For example, four of the 193 slave traders in a census dated 11 October 1749 had been banned from slave trading.[10]

6 Ömer Nasuhi Bilmen, *Hukuki İslamiyye ve Istılahatı Fıkhiyye Kamusu,* vol. 5, (İstanbul: Bilmen, 1969), 213; For the sale of concubines, see Atatürk Kitaplığı, PER_VAL_SUL_03362; 03396; 00967, 00974; Ömer L. Barkan, "Edirne Askeri Kassamı'na Ait Tereke Defterleri (1545–1659)," *Belgeler* 3 (1966): 19; Also, see İzzet Sak, "Şer'iye Sicillerine Göre Sosyal ve Ekonomik Hayatta Köleler (17. Ve 18. Yüzyıllar)," (PhD diss., Selçuk Üniversitesi, 1992), 186–93; Slaves could also be donated, for example: BOA. *HAT.*, no: 1649/60; *EŞS.*, no. 1241, 25/b-1; Zübeyde Güneş Yağcı, "XVIII. Yüzyılda Osmanlı Devleti'nde Voyvodalar: Edremit Voyvodası Mehmet Emin Ağa," in *Prof. Dr. Mustafa Çetin Varlık Armağanı*, ed. Ahmet Şimşirgil and Murat Uluskan, (İstanbul: KTB, 2013), 461; For the slaves given to the palace by the Crimean khan, see BOA. *C.MTZ.*, no. 18/865. 18/889; BOA. *C. SM.*, no. 119/5995. For the slaves given to the palace by the Algeria *Dayı*, see BOA. *C. DH.*, no. 240/11984, 296/14797.

7 Halil, Sahillioğlu "Slaves in the Social and Economic Life of Bursa in the Late 15th and Early 16th Centuries," *Turcica* 17 (1985): 50.

8 Evliya Çelebi, *Günümüz Türkçesiyle Evliya Çelebi Seyahatnâmesi: İstanbul*, edited by Seyit Ali Kahraman and Yücel Dağlı, vol. 1, book 2 (İstanbul: Yapı Kredi Yayınları, 2003), 544.

9 Zübeyde Güneş Yağcı, "İstanbul Esir Pazarı," in *Osmanlı Devleti'nde Kölelik Ticaret, Esaret, Yaşam*, ed. Zübeyde Güneş Yağcı and Fırat Yaşa (Ankara: Berikan, 2017), 85.

10 BOA. *MAD. d.*, no. 10349, 14–17, 27 Zilkade 1162 (2 November 1749).

Supply of Slaves

Trade organizations in the Ottoman State were known as guilds. As with all tradesmen guilds and various organizations, each of the tradesmen branches had its own customs. In fact, some tradesmen branches considered their prophets to be the fathers of their trades. For example, İdris was the father of tailors; Lokman, the father of doctors; Yusuf, the father of artisans. Evliya Çelebi himself categorized the tradesmen into two types: those who carried out state affairs under the title *ahl al-hiraf-ı hassa*, and those who were self-employed under the title *ahl al-hiraf*. The state supervised both groups, the former directly, the latter indirectly.[11] This supervision was also necessary for procuring supplies. Apart from times of war, the state was unable to provide such supplies for the slave traders.[12] Because the captives of war constituted a source for slave traders, the law on booty bore great importance to them. Thus, the state played a major role in the distribution of captives seized in state wars within the regulations on the spoils of war. According to their rank, soldiers who participated in the war divided up three-fourths of the spoils seized[13], the majority of which consisted of captives. And wherever there was a military campaign, slave traders would follow the army[14] and would purchase the soldier's share of the spoils at a lower price. The soldiers wanted to turn their share of the spoils into cash as soon as possible since feeding, providing water to, and transporting slaves would be extremely difficult.[15]

In the 16th century, the Crimean Khanate replaced Venice and the Genoese in the slave trade in the Northern Black Sea region when slaves that were seized in raids on Russia, Poland, and Caucasia were brought to the Crimea, and the slave traders would go into action. Raiders even informed the slave traders on their

11 Ahmet Kala, "Esnaf," *DİA,* vol. 11 (İstanbul: Türkiye Diyanet Vakfı, 1995), 423–24.

12 For booty, see Mehmet Erkal, "Ganimet," *DİA*, vol. 13 (İstanbul: Türkiye Diyanet Vakfı, 1996), 351; Ekrem Buğra Ekinci, *İslâm Hukuku* (İstanbul: Arı Sanat, 2006), 155; Ahmet Özel, "İslam'da ve Günümüz Devletler Hukukunda Savaş Esirleri," *İslam Hukuku Araştırmaları Dergisi* 1 (2003): 107; Colin Imber, *Şeriattan Kanuna Ebussuud ve Osmanlı'da İslami Hukuk*, transl. Murteza Bedir (İstanbul: Tarih Vakfı Yurt Yayınları, 2004), 96; Mehmet Yaşar Ertaş, "Evliya Çelebi'nin Seyahatnâmesi'nde Gazâ," *Tarih İncelemeleri Dergisi* 27 (2012): 79–100; Cemal Çetin, *Sultanın Esirleri* (Konya: Palet Yayınları, 2015).

13 BOA. *MAD.d.*, no. 5471, 4–112; Zübeyde Güneş Yağcı, "Kıbrıs'ın Fethi ve Ele Geçirilen Esirler," in *Tarihte Kıbrıs (İlkçağlardan 1960'a Kadar)*, ed. Osman Köse, vol. 1 (Bursa: Akdeniz Karpaz Üniversitesi, 2017), 305–18.

14 Halil İnalcık. "Servile Labor in the Ottoman Empire," in *The Mutual Effects of the Islamic and Judeo-Christian Worlds: The East European Pattern*, ed. Abraham Ascher, Tibor Halasi-Kun, and Béla K. Kiràly (New York: Brooklyn College Press, 1979), 37.

15 For the problems that slaves come across as long as transmission from one point to another, see Zübeyde Güneş Yağcı and Mustafa Akkaya, "Zorunlu Göç," in *Geçmişten Günümüze Göç*, ed. Osman Köse (Samsun: Uğur Ofset, 2017), 1145–56.

return from a raid.[16] Following these transactions, conducted within a mutual framework, the traders transported the slaves they purchased to Istanbul on ships called *üsera sefinesi.*[17] For example, ships coming from Abkhazia in November 1607 were probably only carrying slaves. The lowest number of slaves transported on a ship was 59, the highest number 113. From the deed registers it is impossible to determine whether all of these slaves belonged to a single slave trader.[18] For example, a ship transporting slaves from Circassia and Abkhazia in 1818 was seized by the Russians; it had 60 slaves belonging to 19 people on board.[19]

When these ships carried only female slaves, these were sometimes called *jariya* ships. Female slaves (*jariya* or concubine) were brought to Istanbul by ship. Beyhan Sultan wanted to see all the *jariya* on this ship, which carried a total of 200 female slaves, before they were purchased by slave traders. Although a letter written to the customs official stated that she could not see all of them at once, later she asked for them to be brought to her in groups of 30.[20]

The journey alone was sometimes a huge ordeal for the slaves. For the black slaves, crossing the Sahara Desert to be transported from Benghazi, Africa, to the Mediterranean shores meant a long and exhausting journey. The death rates on these caravans, often without sufficient food and water, were sometimes high. Such a tragedy occurred in 1849: Members of a caravan travelling from Bornu to Murzuk died because the water sources on the oasis had dried up. There are reports of 1600 slaves being on that caravan.[21] According to a document dated

16 The history of the Black Sea slave trade dates back to ancient times. See Timothy Taylor, "Believing the Ancients: Quantitative and Qualitative Dimension of Slavery and the Slave Trade in Later Prehistoric Eurasia," *World Archaeology* 33 (2001): 27–43; D.C. Braund and G. R. Tsetskhladze, "The Export of Slaves from Colchis," *The Classical Quarterly, New Series* 19 (1989): 114. For the role of Venice and Genoese in the Black Sea slave trade, see J.H. Jonston, "The Mohammeden Slave Trade," *The Journal of Negro History* 13 (1928): 478–91; Mikhail Kizilov, "The Slave Trade in the Early Modern Crimea from the Perspective of Christian, Muslim, and Jewish Sources," *Journal of Early Modern History* 11 (2007): 1–31; Dariusz Kołodziejczyk, "Slave Hunting and Slave Redemption as a Business Enterprise: The Northern Black Sea Region in the Sixteenth to Seventeenth Centuries," *Oriente Moderno* 25 (2006): 149–59; Zübeyde Güneş Yağcı, "The Slave Trade in the Crimea in the Sixteenth Century," in *The Black Sea Past, Present and* Future, ed. Gülden Erkut and Stephen Mitchell, (London: British Institute, 2007), 73–79.

17 BOA. *HAT.*, no. 1591/54; Necdet Sakaoğlu, "Esir Ticareti," *Dünden Bugüne İstanbul Ansiklopedisi*, vol. 3 (İstanbul: Kültür Bakanlığı, 1994), 200.

18 BOA. *DBŞM. d.*, no. 128, 11; Zübeyde Güneş Yağcı, "The Black Sea Slave Trade According to the Istanbul Port Customs Register, 1606–1607)," in *Eurasian Slavey, Ransom and Abolition in World History*, *1200–1860*, ed. Christoph Witzenrath (Farnham, UK: Ashgate, 2015), 207–19.

19 BOA. *HAT.*, no. 46236.

20 BOA. *HAT.*, no. 1653/14.

21 Ehud R. Toledano, *Osmanlı Köle Ticareti (1840–1890)*, trans. Y. Hakan Erdem (İstanbul: Tarih Vakfı Yurt Yayınları, 1994), 94; Y. Hakan Erdem, *Osmanlıda Köleliğin Sonu 1800–1909*, trans. Bahar Tırnakçı (İstanbul: Tarih Vakfı Yurt, 2004), 130.

13 June 1856, several of the 86 slaves being transported from Benghazi to Iskandariya died on the journey from unfavorable conditions.[22]

Sea transport too could produce deplorable results for the slaves. Apart from boarding high numbers of slaves onto the ships, some of the slave traders failed to provide them with sufficient food. An investigation was held following a report that one of the slaves on Captain Ahmad's ship from Benghazi to Crete died of hunger. The dead slave was owned by a man called Hamza from Maghreb. One of the 13 black female slaves on the ship also died of starvation. In the investigation, it became evident that Hamza failed to provide his slaves with sufficient food. One of the slaves even ate rats because he was so hungry. Slaves owned by another slave trader on the same ship became ill from starvation. All the slaves owned by both the slave traders were seized.[23]

Slave Trader Officials

The Slave Dealer Sheikh was the leader of the slave traders. The sheikh was responsible for all affairs in the slave market. The sheikh's assistant was the *kethüda.*[24] In addition to assisting the sheikh, the duty of the *kethüda* (described in the *Code of the Bursa Slave Market*, like in all other tradesmen branches), was to manage relations between the state and the traders.[25] However, over a period of time the functional role of the sheikh diminished, and from the 16th century onwards the *kethüda* became the head of the trade branch and hence the head of the slave traders.[26] The 16th century brought a significant increase in the extant documents regarding slave traders, where the *kethüda* is mentioned in almost all affairs concerning the traders.[27] Thus, I would first like to more closely define the duty of the *kethüda.*

The *kethüda* represented the guild before the state and was also the main interlocutor of the state. It was the duty of the *kethüda* to declare any state

22 BOA. *HR.TO.*, no. 223/5, 9 Şevval 1272 (13 June 1856).

23 Ömer Şen, *Osmanlı'da Köle Olmak* (İstanbul: Kapı Yayınları, 2007), 87–97. In fact, some of the slave traders were found to be pregnant to find the beautiful concubines. For example, Deli Mehmet, a slave dealer, got Şemsigül pregnant. See *Ehud R. Toledano,* "Shemsigül: A Circassian Slave in Mid-Nineteenth-Century Cairo," *in Struggle and Survival in the Modem Middle East*, ed. Edmund Burke, III and David N.Yaghoubian (Los Angeles: University of California, 1993), 59–74.

24 Reşat Ekrem Koçu, "Esir, Esirciler," *İstanbul Ansiklopedisi*, vol. 10 (İstanbul: Koçu Yayınları, 1971), 5275.

25 Ahmet Akgündüz, *Kanunnâmeleri ve Hukukî Tahlilleri*, vol. 2 (İstanbul: Osmanlı Araştırmaları Vakfı, 1990), 235.

26 Mehmet Canatar, "Kethüda," *DİA*, vol. 25, 333.

27 BOA. *C. BLD.*, no. 51/2512, 13 Cemaziyelahir 1155 (15 August 1742); BOA. *C. ZB.*, no. 4327, 1200 (1785/1786); BOA. *İE.TCT.*, no. 5/535, 4 Şevval 1076 (9 April 1666).

decisions regarding the guild to its members. In state regulations concerning the slave market, the slave trader *kethüda* was classified as the interlocutor of orders concerning any exploitation by slave traders. The *kethüda* always had to be consulted when a person wanted to become a slave trader.[28]

*Kethüda*s were also responsible for managing the dealings between traders who were members of the guild. A *kethüda* was selected to manage slave trader affairs not only in Istanbul, but in many cities as well. *Kethüda*s were chosen from among the members of the trade branches to which they belonged. Later, the *kethüda*s were issued the *Ruus-ı Hümayun*, i. e. authorization to appoint civilians. The most prominent Istanbul slave trader *kethüda* was the famous composer Mustafa Itri Efendi.[29] A famous *kethüda* before him was the Ottoman poet Baki who was assigned as slave trader *kethüda* by Suleiman I.[30] The names of all the *kethüda*s (apart from Itri Efendi) are mentioned for various reasons in the extant documents. Some of these are a man named Ali on 16 March 1638[31] and, in a document dated 9 April 1666, a man called Mustafa, who was a slave trader *kethüda* in Istanbul.[32] 10 years later, on 27 January 1676, another man called Mustafa was appointed for the same duty.[33] Osman Usta assumed the duty of *kethüda* on 2 November 1785.[34]

An official called *yiğitbaşı* was assigned to ensure that transactions would be carried out reliably in the slave traders' market. In this sense, the *yiğitbaşı* assisted the slave trader *kethüda*s. Because of his position, he was familiar to everyone who entered the market.[35] It is also clear that these individuals sometimes abused their position. Such an event occurred in 1848–49 (*Hijri* 1265), when the slave trader *yiğitbaşı* Latif Ağa got a female slave called Mahire pregnant. He tried to make her miscarry in an attempt to cover up the incident, but this obviously failed because the incident was documented. As in many cases, it appears impossible to follow up on how the case ended.[36]

As in the cities, individuals called *dellal*s assisted the slave traders in their transactions.[37] Today, the meaning of this word—pronounced *tellal* in modern

28 BOA. *C. ZB.*, no. 10/465, 3 Muharrem 1220 (3 April 1805).
29 Mehmet Zeki Pakalın, *Osmanlı Tarih Deyimleri ve Terimleri Sözlüğü*, vol. 1 (İstanbul: Milli Eğitim Basımevi, 1993), 553.
30 Mustafa İsmail Kaya, "Shop and Shopkeepers in the Istanbul İhtisâb Register of 1092/1681," (MA thesis, Bilkent Üniversitesi, 2006), 52.
31 BOA. *A.DVN.MHM.*, no. 88/296.
32 BOA. *İE. TCT.*, no. 5/535, 4 Şevval 1076 (9 April 1666).
33 BOA. *İE. TCT.*, no. 2/232, 11 Zilkade 1086 (27 January 1676).
34 BOA. *AE.SABHI.*, no. 199/13327, 29 Zilhicce 1199 (2 November 1785).
35 BOA. *C. ZB.*, no. 10/465, 3 Muharrem 1220 (3 April 1805); Ehud R. Toledano, *Suskun ve Yokmuşcasına İslam Ortadoğusu'nda Kölelik Bağları*, trans. Y. Hakan Erdem (İstanbul: İstanbul Bilgi Üniversitesi, 2010), 157.
36 BOA. *A. AMD.*, no. 13/14, 1265.
37 Yusuf Halaçoğlu, "Dellâl," *DİA*, vol. 9, (İstanbul: Türkiye Diyanet Vakfı, 1994), 145–46.

Turkish—is broker. These brokers acted as mediators in the sale of any commodities auctioned as slaves. Slaves could not be sold in the market without brokers. And more than one broker sold slaves in the market. For example, although their numbers occasionally changed, in 1640 there were 19 brokers operating in the market.[38] These numbers could also vary according to the size of the market. Where there was more than one broker, there then had to be a supervisor, a duty undertaken by the chief broker.[39] Slave traders handed their slaves over to the brokers, who would then try to auction them off in front of buyers who stood in the center of the market. As they walked the slaves around in front of the people, they would also call out their respective characteristics. The slave was then sold to the person with the highest bid. Potential buyers were also allowed to examine the physical features of the slaves, e. g. the teeth, hands, and legs.[40] Some travelers wrote that, during this process, they stripped the slaves totally naked.[41] Bad breath, being flatfooted, having a wound or scar on any part of the body were among the factors that influenced the price.[42] When an agreement was eventually reached, the slave would be handed over to his new owner with the prayer: *May he bring you fortune. May God grant you sound health!*[43]

But before the slave traders handed the slaves over to the brokers, they warned them to be obedient. They also groomed them to look healthy. For example, they used various oils on their hair. Because the brokers always made the slaves walk around in the center of the market, the slave traders even taught them how to walk properly.[44] However, regulations issued at certain intervals warned the slave traders not to beautify their slaves for the auction, a point emphasized in *Esnaf Nizamnamesi* during the period of Mehmed I, where it was ruled that female slaves were not allowed to use any coloring on their cheeks or lips.[45]

38 Mübahat S. Kütükoğlu, *Osmanlılarda Narh Müessesesi ve 1640 Tarihli Narh Defteri* (İstanbul: Enderun, 1983), 257.

39 BOA. *C.HR.*, no. 7087, 11 Cemaziyelevvel 1149 (17 September 1736).

40 Joseph de Tournefort, *Tournefort Seyahatnamesi*, ed. Stefanos Yerasimos, vol. 2, (İstanbul: Kitap Yayınevi, 2005), 44; Koçu, "Esir, Esirciler," 5274.

41 Nicolas de Nicolay, *Muhteşem Süleyman'ın İmparatorluğunda*, trans. Şirin Tekeli and Menekşe Tokay (İstanbul: Kitap Yayınevi, 2014), 175.

42 For example, *BŞS.*, no. 692, p. 16/a-1; *EŞS.*, no. 1189, 136/b-5; *ÜŞS.*, no. 15, 60/b-5; no. 23, 66/b-4; no. 25, 21/b-1; no. 29, 26/b-1; Also see Zübeyde Güneş Yağcı, "Kölelerin Kaçmaya Çalıştıkları Mekân Üsküdar (XVI–XVIII. Yüzyıllar)," *Uluslararası Üsküdar Sempozyumu, VIII: 2014: Üsküdar*, vol. 2 (İstanbul: Dörtbudak, 2015), 275–76; Suraiya Faroqhi, *Osmanlı İmparatorluğu'nda Yollara Düşenler*, trans. Zulal Kılıç (İstanbul: Kitap Yayınevi, 2016), 192–98; Fırat Yaşa, "Kırım Hanlığı'nda Köleliğin Sosyal ve Mali Boyutları," *Gaziantep University Journal of Social Sciences*13 (2014): 659.

43 Sema Ok, *Köle Pazarından Saraya Köleler* (İstanbul: Kamer Yayınları, 1996), 23.

44 Necdet Sakaoğlu, "Esir Ticareti", 201.

45 Koçu, "Esir, Esirciler," 5274.

Naturally, the broker provided his services in return for money. He would collect a fee of two silver coins per slave called *dellâllık akçesi* (brokerage fee) from both the seller and the buyer. The fee in Bursa was 2 *akçe*.[46] In 1856, the income of a slave broker in Izmir was 16,150 *kuruş*.[47] When the Ministry of Regulations and Order was established in 1826, the broker's fee was increased to 25% of the selling price.[48]

The question here is how these brokers, who played such a major role in the sale of slaves, acquired this position. The goods they were trying to sell was not material or silk, but rather human beings, so appointing these brokers required great care. As in the case of the slave traders, a guarantor was also required to become a broker. But traders and their assistances could function as guarantors for one another. Those who did not have a guarantor were not allowed to remain in the guild. A similar practice was carried out for bachelors who came to Istanbul to work as well. Occasionally a census was held, and those without a guarantor were sent away from Istanbul. The Ottoman state, which attached such importance to surety ship, used the same methods in selecting and assigning brokers, and occasionally warned both the kadi of Istanbul and slave trader wardens that people without a guarantor could not be brokers. Brokers were generally selected from among the slave traders. However, some individuals from the cavalry and the janissary could also (unofficially) become slave trader wardens and brokers. Their objective was to take advantage of the female slaves. The state issued an order to the Istanbul kadi to warn the slave trader *kethüda*s that such individuals were not to enter the market, and that if the warden failed to carry out his duties properly, he should also be punished.[49] Moreover, some people gave their slaves to a broker without even going to the market. If the slave managed to escape in such a situation, then the broker would be held responsible and be obliged to pay half the slave's value price.[50]

In places that did not have state-recognized brokers, some slave traders violated the regulations. Occasionally, these violations could even include the sale of free subjects in the market, which also appears to have been possible among the Istanbul slave traders. Occasionally, some of the slaves appealed to the court and proved that they were free subjects. Such a situation occurred in Kastamonu. Because for a while Kastamonu had no slave broker, traders began to sell free people in the market. Also, slaves stolen from others were brought to the market

46 BOA. *AE. SSSLM.* II., no. 1/29; Sahillioğlu "Slaves in the Social," 65.

47 BOA. *A.MKT.NZD.*, no. 185/68, 18 Ramazan 1272 (23 May 1856).

48 Ziya Kazıcı, *Osmanlılarda İhtisab Müessesesi* (İstanbul: Kültür Basın Yayın Birliği, 1987), 123; Koçu, "Esir, Esirciler," 5274.

49 Selçuk Demir, "75 Numaralı Mühimme Defteri'nin Transkripsiyon ve Değerlendirilmesi (S. 1–171)," (MA thesis, Atatürk Üniversitesi, 2008), 222–23.

50 Sak, "Şer'iye Sicillerine Göre," 172.

to be sold.[51] In a document dated 15 July 1760, the assignment of a chief broker is demanded immediately. In the district of Kalecik, some slave traders manipulated the sale of slaves. In order to prevent this, the assignment of a trustworthy, religious chief broker was essential, and Hasan was the most suitable candidate for this duty. So Hasan was appointed as the chief slave broker of Kalecik.[52] All this signifies how important the slave market officials were in carrying out the slave trader's affairs.

Another official responsible for managing the slave trade in the slave market was an official called an *emin*. The person known as the slave house *emin* or attendant would sit beside the iron gates at the entrance to the slave market. Because of his position, he was familiar with everyone who entered the building and controlled everyone entering and leaving the building. The slave house *emin* collected the state taxes from the people who purchased and sold slaves, varying from 2–150 *akçe*.[53] Some years, the tax returns could total around 100 pouches *akçes*.[54] The position of slave house *emin* was abolished in the context of the regulations enforced during the period of Mahmud II, and this duty was transferred to the *İhtisab Ağalığı* or Chief of Public Order (August 1826).[55]

Istanbul Slave Traders

Court records regarding slaves clearly reveal that slave traders in every part of the Ottoman State lived off the market taxes acquired from the transactions of slaves and the taxes included in the sanjak or district codes of law.[56] Nevertheless, Istanbul, the largest slave market, was the center with the highest number of slave traders in the country. Although the number of slave traders clearly changed over time depending on supply and demand, it is impossible to determine their numbers before and after the conquest of Istanbul. Sources reveal that because of

51 BOA. *C. DH.*, no. 19/939, 28 Şaban 1173 (15 April 1760); BOA. *C. BLD.*, no. 119/5902, 13 Cemaziyelahir 1192 (9 July 1778); BOA. *C.BLD.*, no. 60/2967, 23 Ramazan 1128 (19 September 1813).

52 BOA. *AE SMHD I*, no. 36/2124, 17 Recep 1158 (15 August 1745).

53 Necdet Sakaoğlu, "Esir Ticareti," 201. This tax, in Çankırı, Sirem, Dubrovik, and Yeniil, was 2 *akçe*; in Rodos and İstanköy 4 *akçe;* in Mardin and Şam 30 *akçe*, in Sivas 120 *akçe* and in Erzurum 150 *akçe. Civan* Çelik, *Bilinmeyen Yönleriyle Osmanlı Devleti'nde Kölelik (18. Yüzyıl ve 19. Yüzyıl)*, (Samsun: Yolcu Dergisi Yayınları, 2012), 92.

54 Evliya Çelebi, *Seyahatnâme*, 543; Ok, *Köle Pazarından,* 31. This tax was worth 100 *akçe* a year. Mehmet Zeki Pakalın, *Osmanlı Tarih Deyimleri ve Terimleri Sözlüğü*, 553; Nihat Engin, "Köle-Osmanlılarda Kölelik," *DİA*, vol. 26, 248.

55 For İhtisab Ağası, see Kazıcı, *İhtisab Müessesesi*, 123.

56 Ömer L. Barkan, *XV ve XVI inci Asırlarda Osmanlı İmparatorluğunda Zirai Ekonominin Hukuki Mali Esasları*, vol. 1 (İstanbul: İstanbul Üniversitesi Yayınları, 1943), 26, 38, 84, 137, 146, 162, 183, 188, 223, 258, 292, 319, 339, 371, 394, 400.

the increase in demand during the period of Murad III (1574–95), the price of slaves increased significantly. Parallel to this, it can be assumed that there was also an increase in number of people wanting to become slave traders.[57] Again, information regarding the numbers of slave traders in Istanbul is available in records on the regulations being enforced during certain periods. Evliya Çelebi also provided information on this topic and writes that there were 2,000 slave traders in Istanbul alone.[58] According to price registers dated 1640, this figure was more than 100. Unfortunately, the names of only 33 male and 8 female slave traders were provided there.[59] 193 slave traders were registered in a census dated 11 October 1749. Even if we agree that Evliya Çelebi exaggerated the figures, I believe that the figure of more than 100 was somewhat underestimated for the 17th century and in a city such as Istanbul, since the slave traders registered in the census were those who owned rooms in the slave market. But we know that there were many people engaged in slave trading from their homes who were also classified as slave traders. In view of this, although the figure of 2,000 slave traders appears to be exaggerated, I do believe that the figure of 100 or 193 does not portray the true number.[60] If we consider the considerably high price of slaves, we can conclude that the number of slave traders was lower than other tradesmen groups. In his work titled *Istanbul in the Second Half of the 17th Century*, Robert Mantran claims that all the slave traders in the Ottoman State were Jewish.[61] Though we may assume that there were likely individuals among the Jews who were indirectly engaged in slave trading, this information seems generally incorrect, as non-Muslims were banned from engaging in slave trading or even owning a slave in the Ottoman State. In various periods, this ban was directly issued as an imperial edict or as the decision of the Sublime Porte.[62] Despite the ban, it was virtually impossible to prevent non-Muslims from owning slaves, but attempts were made to least prevent them from owning Muslim slaves. Later, a poll tax called *jizya* was collected from the slaves owned by non-Muslims.[63]

57 Peçevî İbrahim Efendi, *Peçevî Tarihi*, ed. Bekir Sıtkı Baykal, vol. 2 (Ankara: Kültür Bakanlığı, 1999), 3.

58 Evliya Çelebi, *Seyahatnâme,* 544.

59 Kütükoğlu, *Narh Müessesesi*, 255–56, Appendix 2.

60 BOA. *MAD.*, no. 10349, s. 18, 28 Şevval 1162 (2 November 1749).

61 Robert Mantran, *17. Yüzyılın İkinci Yarısında İstanbul,* trans. Mehmet Ali Kılıçbay and Enver Özcan, vol. 2 (Ankara: Türk Tarih Kurumu, 1990), 103.

62 Ahmet Refik Altınay, *Onuncu Asr-ı Hicrîde İstanbul Hayatı*, ed. Abdullah Uysal (Ankara: Kültür Bakanlığı, 2000), 76–77; BOA. *A. DVN. MHM.*, no. 27, 179/409, 26 Ramazan 983 (29 December 1575); Kazıcı, *İhtisâb Müessesesi*, 128; BOA. *C. BLD.*, no. 51/2512, 13 Cemaziyelahir 1155 (15 August 1742).

63 Mantran, *17. Yüzyılın*, 108.

Places for Slave Trading: The Slave Market/Slave House

Slaves brought to Istanbul were initially taken first to the customs house. After the customs taxes and a deed tax determined as a fifth of the slave's value had been paid, the slaves were taken to the slave market to be sold. Upon payment of the deed tax, the slave trader was given a document called a *pençik varakası* or deed certificate. This document meant that the slave was legal.[64]

As in all branches of tradesmen, the shops or locations where slave traders sold their goods were called the slave market and slave house. We know that there was a Byzantine bazaar when Istanbul was conquered by Fatih Sultan Mehmed.[65] After the conquest, this bazaar was probably closed, because a decree was issued by order of the sultan to allocate a place for the sale of slaves. There are reports that the reason for this decision was because a horse scared by a crowd of slave traders and slaves that gathered around the sultan caused the death of a woman and her child.[66] Slaves could no longer be sold in the streets. The structure allocated for slave trade was possibly the Cevahir Bedestan, the first covered bazaar in Istanbul. After the construction of the Sandal bazaar, this became the site of slave traders. We know this because in 1487 an income of 8,094 *akçe* from the Sandal Bedesten was included in the Hagia Sophia Waqf's revenue. Two years later, by an order dated 4 March 1489, Süleyman Pasha's Konak became the site for slave trading.[67] A *han* was recorded in the *waqf's* accounts register under the name *Kârbansaray-ı Üserâ nâm-ı diğer hânehâ-i Süleyman Paşa.*[68] In the 16th century, the sale of slaves was conducted from two separate *hans*[69], one can clearly see from a decision dated 9 September 1604: Slave traders appealed to the state in a petition demanding that the old system be reinstated. In the new system, both the male and female slaves were gathered in the old bazaar. In the petition, the slave traders emphasized that male slaves had previously been sold in the new

64 Erdem, *Köleliğin Sonu*, 35.

65 Kate Fleet, *Erken Osmanlı Döneminde Türk-Ceneviz Ticareti,* trans. Özkan Akpınar (İstanbul: Türkiye İş Bankası, 2009), 50; Eremya Çelebi Kömürciyan, *XVII. Asırda İstanbul* (İstanbul: Eren, 1988), 299.

66 Charles White, *Three Years in Constantinople, Or, Domestic Manners of The Turks in 1844* (London: Henry Colburn, 1846), 280.

67 Yaşar Baş, "İstanbul Kapalıçarşısı (XV–XVII. Yüzyıl)," (PhD diss., Atatürk Üniversitesi, 2008), 26.

68 *An ibtidâ-i mukâta'a-i zemîn-i giyâh, nezd-i hânehâ-i Süleymân Paşa ki kârbânsarây-ı Üserâ şudeest.* Ömer L. Barkan, "Ayasofya Camii ve Eyüb Türbesinin 1489–1491 yıllarına Ait Muhasebe Bilançoları," *İktisat Fakültesi Mecmuası* 23 (1963): 344, 347.

69 Philip Mansel, *Konstantiniyye, Dünyanın Arzuladığı Şehir 1453–1924* (İstanbul: Everest, 2007), 174.

bazaar and female slaves in the old bazaar.[70] Thereupon, Ahmed I ordered the construction of a *han* solely for the sale of slaves.[71] From now on, slaves were not to be purchased or sold anywhere else. Within a short time, a two-story *han* was built in the Tavuk Bazar district[72], and finally the slave traders had a market with their own private rooms. Evliya Çelebi described this as a place resembling a fortress.[73] On 22 November 1652, the market was totally burnt down in a fire that continued for 24 hours and affected the area between Kumkapı and the Kadırga Port.[74] When the slave market was rebuilt after the fire, it was smaller than the old market. In 1749, the market had two stories and 121 rooms.[75] At the beginning of the 19th century, the market became even smaller. In a mandate dated 19 December 1804, it was recorded that the market had only 54 rooms. Presumably, the slave market had burnt down in another fire and then been rebuilt.[76] This indicates that the sale of slaves continued until the market was closed by Sultan Abdulmecid because of international pressure.[77]

However, now the slave traders began to sell slaves in open areas and from shop fronts in Fatih, in the vicinity of the Süleymaniye Mosque and Tophane.[78] Previously, slaves had been visible only to those who came to the market, whereas now they found themselves under the gaze of everyone passing by. In Süleymaniye, lamp tradesmen began to rent their shops to slave traders; others presented a petition to complain to the state demanding that the slave traders leave.[79] The slave traders then moved to an area close to Sultan Ahmet, which had been occupied mainly by bachelors. The slave traders were probably so disturbed by

70 BOA. *A.DVN.MHM.d.*, no. 75, 168/309; Ahmet Refik Altınay, *On Birinci Asırda İstanbul Hayatı (1000–1100)* (İstanbul: Devlet Matbaası, 1931), 25; Demir, "75 Numaralı Mühimme," 223.

71 BOA. *A.DVN.MHM.d.*, no. 78, p. 20/78, 26 Cemaziyelevvel 1018 (26 August 1609).

72 Güneş Yağcı, "Esir Pazarı," 70.

73 Evliya Çelebi, *Seyahatnâme*, 543.

74 Semavi Eyice, "Büyük Çarşı," *DİA,* vol. 6, 510; Reşat Ekrem Koçu, "Esir Hanı Yangını," *İstanbul Ansiklopedisi*, vol. 10 (İstanbul: Koçu Yayınları, 1971), 5279.

75 BOA. *MAD.*d., no. 10349, 14–17; for the description of the slave market, see appendix 1.

76 BOA. *C.ZB.,* no. 10/465, 3 Muharrem 1220 (3 April 1805).

77 Ahmet Lûtfî Efendi, *Vak'anüvîs Ahmed Lûtfî Efendi Tarihi*, vol. 3, (İstanbul: Türk Tarih Kurumu, 1999), 1239; Gül Akyılmaz, "Osmanlı Hukukunda Köleliğin Sona Ermesi İle İlgili Düzenlemeler ve Tanzimat Fermanı'nın İlanından Sonra Kölelik Müessesesi," *Gazi Üniversitesi Hukuk Fakültesi Dergisi* 9 (2005): 230.

78 BOA. *MVL.*, no. 131/17, 1270 (1853/1854); BOA. *İ.MVL.*, no. 336/14509); 27 Şevval 1273 (19 June 1855); BOA. *İ.MVL.*, no. 377/16542, 27 Şevval (20 June 1857); *İ. DH.*, no. 330/21543, 3 Zilkade 1276 (23 May 1860); Necdet Sakaoğlu, *Tanzimat'tan Cumhuriyet'e Tarih Sözlüğü, Deyimler-Terimler* (İstanbul: İletişim, 1985), 37; Engin, "Köle," 247–48; Hamdi Atamer, "Zenci Ticaretinin Yasaklanması," *Belgelerle Türk Tarihi Dergisi* 3 (1967): 23–29.

79 BOA. *MVL.*, no. 58/27, 24 Ramazan 1264 (24 August 1848); For damages of slave dealer, see BOA. *İ.MVL.*, no. 1858, 27 Receb 1264 (29 June 1848); Abdullah Martal, "19. Yüzyılda Kölelik ve Köle Ticareti," *Tarih ve Toplum* 121 (1994): 15.

these bachelors, to the extent that they demanded to be sent back to Süleymaniye or for the slave market to be reopened.[80] Should neither of these demands be accepted, it would have a negative effect on the slave trade. While international pressure was forcing the state to issue a decision banning slave trade, a reaction against slave trading also began to emerge in the general society.[81] Slave traders were now considered as one of the most inferior groups of the society. Stories of the sad, even horrific experiences of slaves began to be published in newspapers and novels. Topics in novels portrayed the injustices experienced particularly by female slaves or *jariya* and emphasized their sufferings.[82] Among these, the most outstanding novel was Sami Paşazade Sezai's novel entitled *Sergüzeşt* (Adventure), which portrayed the experiences of Dilber. The fear she experienced the first night in the slave traders house was one of the most significant scenes of the novel. The author refers to a slave trader called Hacı Ömer as cruel and uncompassionate with the words, "Apart from the trading of humans, his heart has lost the sense of compassion, this must be because of the brutality this heart reflects in those large, round eyes. His gaze resembled that of a tiger. He consecrated two things as a duty to humanity: The first was the whip he hung on the wall, which he considered the means of his trade prospering; the other was the loneliness of the poor creatures who entered his house."[83] Again, later in the book, it is stated that it is "unfortunate" that humanity tyrannized by slavery has been abandoned. The author emphasizes his hostility toward slavery, which is actually an inhumane act.[84] The person opposed to slavery the most was Ahmet Midhat. In his story entitled *Esaret* and his novel entitled *Kafkas*, he emphasizes the worst aspects of life as a captive. In one of his studies called *Çerkezistan'nda Usûl-i Hükümet ve Medeniyet* (Methods of the State and Civilization in Circassia), he explains that he opposes slavery, and that in essence every human is born free and must die free: "I have always opposed slavery. I maintain that because the son of human was born free, he must live free and die as a free person."[85] In addition to Sami Pashazade Sezai and Ahmet Midhat, most of the authors of the Tanzimat Reform Era such as Namık Kemal (*İntibah, Kara Bela),* Abdühalim Memduh (*Bedriye*) Fatma Aliye Hanım (*Muhadarat*), Nabi-zade Nâzım (*Zehra*), and Abdülhak Hamit greatly opposed slavery. Nevertheless, even if it was carried

80 BOA. *MVL.*, no. 432/88, 27 Cemaziyelahir 1280 (9 November 1863); BOA. *MVL.*, no. 131/17, 1270 (1853/1854).

81 BOA. *İ.ŞD.*, no. 33/1602, evasıt-ı Cemaziyelahir 1273 (15–25 February 1857); Toledano, *Köle Ticareti,* 77–80; Erdem, *Köleliğin Sonu,* 91–100.

82 İsmail Parlatır, *Tanzimat Edebiyatında Kölelik* (Ankara: Türk Tarih Kurumu, 1992).

83 Sami Paşazade, *Sergüzeşt* (Ankara: Altınpost, 2018), 8.

84 Sami Paşazade, *Sergüzeşt*, 31.

85 İsmail Parlatır, *Tanzimat Edebiyatında*, 37.

out illegally, slave trading and captivity/slavery continued until the abolishment of the Ottoman Empire.

Exploitation by Slave Traders

When the object of enslavement, slavery, and commodities is human beings, then this brings exploitation to a totally different dimension. Exploitation of this kind in no way resembles that of other tradesmen and can generate more serious results. In view of this, when discussing slave traders, we must also emphasize the exploitation they pursued.

The major topic of exploitation regarding slave traders was the trading of free humans. In my studies of court decisions concerning slaves, I see that, second to proceedings on liberation, most cases involving the freedom of slaves. Despite all the state efforts, it was almost impossible to prevent the trade of free subjects. Some slave traders abducted children from Istanbul and tried to sell them as slaves in the Anatolian region.[86] One of these was a slave trader called Sarımsakçıoğlu Ali who was exiled to Bozcada for trading free subjects.[87] Another was the slave trader Çolakoğlu Ismail and his son Huseyin.[88] Çolakoğlu Ismail was arrested in Üsküdar when he attempted to return to Istanbul before completing his punishment. He was later given the punishment of exile for life.[89] A girl living in Istanbul was sold by a slave trader called Ali Beşe in Kütahya to Hacı Muradzade Halil Efendi from the village of Elmalı.[90]

The reverse situation also occurred, when slave traders abducted or deceived people in rural areas and then brought them to Istanbul to be sold. One slave trader was caught trying to sell a young Christian girl from Salonika, claiming that she was a female slave.[91] Another incident occurred in Istanbul's Fener district, where Aisha sold a young man named Mehmet to slave trader Bekir for 95 *kuruş*. But Mehmet was able to prove that he was a free subject before the trader had the chance to resell him.[92] Four female slave traders, who generally sold free humans, were exiled to Chania.[93] One of the most interesting incidents occurred in Istanbul: Emine was sold by her husband Hamdi to a slave trader

86 See Zübeyde Güneş Yağcı, "Yasal Olmayan Kölelik," *XVI. Türk Tarih Kongresi 20–24 Eylül 2010*, vol. 4, No. 2 (Ankara, 2015), 1633–36.
87 BOA. *C. ZB*, no. 4383.
88 BOA. *C. ZB*, no. 1626.
89 BOA. *C. ZB*, no. 768.
90 BOA. *C. ZB*, no. 4209.
91 Ahmet Fevzi Zengin, "4/466 Numaralı Şer'ye Siciline Göre Üsküdar'da Sosyal ve Ekonomik Hayat," (MA thesis, Marmara Üniversitesi, 1998), 45.
92 BOA. *C. ZB*, no. 5/239, 19.
93 BOA. *C. ZB*, no. 1646.

called Ahmed Bey for 180 *riyals* but managed to appeal to the court through her attorney Mehmet, and once her freedom was proved she escaped slavery.[94] Again, in the 17th century, a slave trader attempted to sell a free Muslim subject.[95] Something else occurred then that was different from previous periods: The janissary, which constituted a majority of the state's army, began to work as tradesmen. Among them were some who were engaged in slave trading and involved in trading free subjects. One janissary commander tried to sell a free girl to a slave trader in Üsküdar. This was exposed when her mother appealed to the court.[96]

On the other hand, I also discovered in the sources people who had sold their own children to slave traders for various reasons. In such situations, slave traders ignored the law, and despite the fact that these people were Muslims, the slave traders would not refuse to buy their children. In fact, four of the five children one slave trader attempted to transport to Egypt in 1860 were in fact free subjects.[97] As a result of inquiries, it emerged that these children had been sold to the slave trader by a close family member. The clearest example of this is seen in the life of Perteveniyal Valide Sultan, mother of Sultan Abdulaziz. Perteveniyal Valide Sultan's family was forced to sell her out of necessity. She was purchased by palace officials before being exhibited for sale in the slave market[98] and destined to rise to the highest position possible for a woman in the Ottoman Empire, namely, the position of Valide Sultan.[99] Although she was not sold by her family, Hurrem Sultan, one of the most famous women in Ottoman history, was an individual who came from the slave market to the palace and ascended to a high position. However, we must also remember that the fate of most people in the slave markets did not always turn out to be so favorable.

Another form of exploitation again involved the female slaves (the *jariya*). Slave traders who abused their position would force female slaves to steal. Because we find decisions concerning this in the Sublime Porte, this indicates that the state gave great importance to this issue. The topic was discussed in the Sublime Porte on 27 June 1582, and a decision was issued to do everything possible to prevent such incidents.[100] Some slave traders even sent female slaves to

94 İstanbul Kadı Sicilleri, *Rumeli Mahkemesi 80 Numaralı Sicil*, 243/265.

95 Eunjeong Yi, "The Istanbul Guilds in the Seventeenth Century: Leverage in Changing Times," (PhD diss., Harvard University, 2000), 61.

96 Yi, "Istanbul Guilds," 205.

97 BOA. *İ. DH.*, no., 1407; Abdullah Saydam, "Esir Pazarlarında Yasak Ticaret: Hür İnsanların Satılması," *Toplumsal Tarih* 28 (1996): 45.

98 Nihat Engin, *Osmanlı Devletinde*, 98–99.

99 For Pertevniyal Valide Sultan, see Ali Akyıldız, *Haremin Padişahı Valide Sultan* (İstanbul: Timaş, 2017), 469–88.

100 BOA. *A.DVN.MHM.*, no. 46, 120/233, 5 Cemaziyelevvel 990 (2 June 1582); for Edirne, see BOA. *A.DVN.MHM.*, no. 48, 120/321, 19 Ramazan 990 (17 October 1582).

the Turkish baths to steal the women's belongings. One of these was a slave trader nicknamed Bitli Omer.[101]

Slave traders and others also used female slaves as the means for prostitution. As in many places of the world, the female slaves here constituted the most unfortunate group.[102] In the transaction for these slaves, buyers were given a trial period of a few days. If the slave trader or another person had declared characteristics before the sale that turned out to be false, the buyer could return the slave within 3 days. An ill slave, a slave that snored, or a female pregnant slave was some of the reasons for returning slaves. Especially when slave traders who marketed female slaves as prostitutes sold these slaves to others for the same purpose, the buyers could return the slaves within 3 days claiming that the slave lacked the characteristics declared before the sale. Of course, in the meantime they would use the slaves for their main objective, namely prostitution. There was a standing agreement that the slave traders could not object to slaves being returned. If slaves were not returned for the reason stated, then the slave traders could object and the case was taken to court. There were many cases involving such incidents in Istanbul courts. In addition to male and female slave traders, brokers were also involved in these transactions. Female slaves were sold to rogues and in particular to merchant seaman for this purpose.[103] Even officials from the delegacies of foreign states and wealthy foreigners were involved in this. In 1640, a census was carried out because of this and other reasons, resulting in 40 of the 100 slave traders being banned from slave trading.[104]

A ban on the sale of slaves to non-Muslims was included in many of the decisions and regulations issued by the state concerning slave trade.[105] This should also be classified within the exploitations by slave traders, because the state banned selling slaves to non-Muslims for a long period.[106] However, as with

101 BOA. *C.ZB.*, 4444, 17 Ramazan 1144 (14 March 1732).

102 One of them was Halil Ağa. Then, Halil Ağa was punished. Ebru Boyar and Kate Fleet, *Osmanlı İstanbul'unun Toplumsal Tarihi*, trans. Serpil Çağlayan (İstanbul: Türkiye İş Bankası, 2020), 224.

103 Ahmet Refik, *Onuncu Asr-ı Hicrîde*, 73–74; Koçu, "Esir, Esirciler," 5271.

104 Kütükoğlu, *Narh Müessesesi,* 257–58.

105 For example, see BOA. *A. DVN. MHM.d.*, no. 27, 179/409, 26 Ramazan 983 (19 December 1575); *A. DVN. MHM.d.*, no. 73, 403/884, 16 Zilhicce 1003; BOA. *A. DVN. MHM.d.*, no. 85, 213/483, 3 Cemaziyelevvel (21 Temmuz 1613); BOA. *C. BLD.*, no. 127/6350, 19 Şevval 1137 (1 Temmuz 1725); BOA. *A. MKT.UM.*, no. 7848, 18 Zilhicce 1267 (14 Ekim 1851); Reyhan Aytaç, "66 Numaralı (H.997–998/M.1589–1590) Mühimme Defteri (İnceleme Metin)," (MA thesis, Marmara Üniversitesi, 2014), 172.

106 30 January 1560, Ahmet Refik, *Onuncu Asr-ı Hicrîde*, 76–77; A few days after this ban, the decision of the Tophane court dated 28 March 1560 proved that the two concubines belonged to the Ahoron Jew. Eda Daştan, "Tophane 2 Numaralı Şeriye Sicili Defteri H. 966–967/1558–1560 (İnceleme-Metin)," (MA thesis, Marmara Üniversitesi, 2014), 214/810.

all cases of exploitation, this did not actually prevent the selling of slaves.[107] Over time, this ban was relaxed and changed to the trade of "Muslim slaves." Since the end of the 17th century, *jizya* was collected from the slaves owned by non-Muslims.[108] It was said that the reason for the state's ban on slaves being sold to non-Muslims was to prevent them from converting to Islam.[109] This is particularly emphasized in decisions regarding these bans. During the period of Ahmed I, Persian subjects were also included in this ban.[110] Yet despite all these measures, the sale of slaves to non-Muslims continued until slavery was eventually abolished altogether.[111]

Conclusion

It is impossible for us to classify slave traders in the same category as tradesmen, though the commodity in question was human beings. From a present-day perspective, we cannot even attempt to understand how these traders bought and sold slaves. We were unable to find any information on whether society considered slave traders to be normal tradesmen or not. But we should also remember that anyone not accepted by the society cannot be classified as a tradesman and therefore could not join a guild, which means society must have accepted this as a normal fact. The concern here is concentrated more on how the slaves were treated, and who they should be sold to. For example, distinguished members of a neighborhood in Istanbul, including the *imam* of the mosque, filed a complaint to the court regarding Mehmed, the owner of a female slave. In addition to drinking alcohol, Mehmed beat his slave and took her to the slave market on several occasions in an attempt to sell her. The people demanded that Mehmed should be expelled from the neighborhood. Thereupon, the court issued

107 Non-Muslims still have slaves in their hands in 26 November 1569. Ahmet Refik, *Onuncu Asr-ı Hicrîde*, 75; Moreover, Avraham veled-i Ferhad, slave trader, was jewish in *evasıt-ı Şevval 983* (12–22 January 1576). İstanbul Kadı Sicilleri, *Galata Mahkemesi 5 Numaralı Sicil* (*H. 983–984 / M. 1575–1576),* ed. Coşkun Yılmaz (İstanbul: İSAM, 2011), 109/144; Besides after 100 years Sara binti Avraham, slave trader, was Jewish in 1 Rebiülahir 1089 (23 May 1678). İstanbul Kadı Sicilleri, *Hasköy Mahkemesi 10 Numaralı Sicil* (*H. 1085–1090 / M. 1674–1679)*, ed. Coşkun Yılmaz (İstanbul: İSAM, 2011), 94/93–95.

108 Cizyedar is Hacı Mehmet in İstanbul. BOA. *AE. SAMDII.*, no. 4/343, 23 Cemaziyelahir 1104 (1 March 1693).

109 Sevilay Sakarya, "43 Numaralı Mühimme Defteri (H.988/M.1580) Transkripsiyon ve Değerlendirmesi (s. 1–108)," (MA thesis, Erciyes Üniversitesi, 2014), 92.

110 Demir, "75 Numaralı Mühimme," 222–23.

111 For orders, see BOA. *C. BLD.*, no. 51/2512, 13 Cemaziyelahir 1155 (15 August 1742); BOA. *A.MKT. UM.*, no. 78/48, 18 Zilhicce 1267 (14 October 1851); BOA. *A.M.*, no. 26/80, 7 Şevval 1278 (7 April 1862).

the decision forcing Mehmed to leave the neighborhood.[112] Unfortunately, we were unable to learn the outcome of the slave. Moreover, the state emphasized this point in regulations concerning slave traders.

Another important aspect was that the human commodity in question had to be well treated. To this end, strict regulations were enforced on who could become a slave trader or have any kind of involvement in the trading of slaves. Attempts were made to carry out inspections through the kadi, taking the human factor into consideration. Action taken by the Sublime Porte, the state's most superior body in this aspect, appears to be the most significant indication thereof. Nevertheless, slave traders who failed to carry out their duty properly were banned from the guild and even exiled, with some even being imprisoned. But because of the conditions of that era of buying and selling humans, slave traders were classified as normal tradesmen. The practices were considered by society a normal one: A trade not considered normal by the society could not have been so widespread. Yet this whole chain of events ended with the abolishment of slavery. Nevertheless, the exploitation of humans in different forms and use of human beings as slaves still continues, even to this very day.

112 İstanbul Kadı Sicilleri, *Bâb Mahkemesi, 3 Numaralı Sicil*, 282–83/ 313.

Appendix 1: Slave Market/Bazaar

All figures are drawn by Oğuzkaan Güneş according to the register BOA. *MAD.*, no. 10349, p. 14–17.

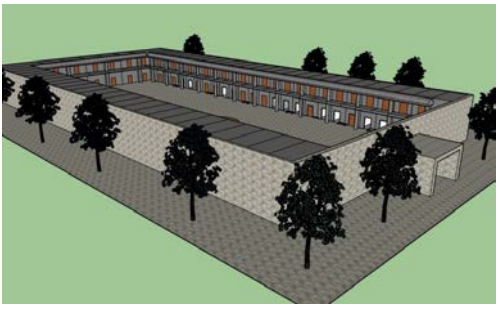

Figure 1. Slave Market

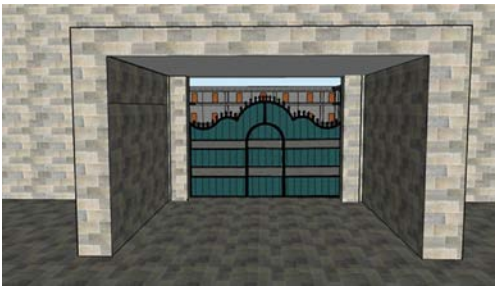

Figure 2. Slave Market, Entrance

Figure 3. 2nd Floor, 58 Rooms

Appendix 2: Slave Trader in İstanbul (1518–1866)

Yakub bin Ahmed[113]
Ahmed Reis[114]
Hızır Çelebi bin Mahmud[115]
Ahmed bin El Hac İsa[116]
El Hac Mehmed bin Yahya[117]
Uzun Mehmed bin Abdullah[118]
Hızır Beşe bin Abdullah[119]
Kerime binti Musa[120]
İbrahim bin Abdullah[121]
Ahmed Bey bin Mehmed[122]
Nazar bin Veli[123]
Deli Hacı[124]
Abdürrezzak Çelebi bin Hamza[125]
Mustafa Çelebi[126]

İstanbul Slave Traders in 1640[127]

Yakub Çelebi
Ali bin Kurd
Anahtarcı Ali Bey
Seyyid Mehmed bin İbrahim
Ahmed Çelebi bin Ramazan
Kasım bin Mustafa
İbrahim bin Ahmed
Veli bin Hasan
Kaymakçıoğlu Veli
Ahmed Mirza
Hacı İbrahim bin Mahmud
Topal Mehmed Dede
Hıdır bin İnayet
Ali bin Yakub
Hüseyin bin Hacı Hasan
Mehmed bin Abdullah
Seyyid Mustafa bin Nasuh
Ahmed bin Mahmud
Mehmed bin Abdülkerim
Mehmed bin Mustafa
Muharrem bin Hasan
Ahmed Bey bin Mustafa
İbrahim bin Mehmed
Kastamonulu Bodur Ali
Ahmed bin Ali
Abdi bin Ali
Hacı Mehmed bin Hüseyin
Hasan bin Mehmed
Hamza bin İbrahim
Hacı Abdülkadir bin Mustafa
Süleyman Beşe
Muharrem bin Mustafa
Alime Hatun
Emine Hatun
Hamamcıkızı Safiye

113 *Üsküdar Mahkemesi* 2: 270.
114 *Üsküdar Mahkemesi* 5: 74.
115 *Balat Mahkemesi* 2: 54.
116 *Balat Mahkemesi* 2: 169.
117 *Rumeli Mahkemesi* 21: 267.
118 *İstanbul Mahkemesi* 3: 230.
119 *İstanbul Mahkemesi* 3: 335.
120 *Rumeli Mahkemesi* 80: 78.
121 *Rumeli Mahkemesi* 80: 225.
122 *Rumeli Mahkemesi* 80: 243.
123 *Galata Mahkemesi* 5: 109.
124 BOA. *A. DVN. MHM.d.*, no. 33, p. 10, 14 Şaban 985 (27 October 1577).
125 *Üsküdar Mahkemesi* 51: 174.
126 *Üsküdar Mahkemesi* 56: 59.
127 Koçu, "Esir, Esirciler," 52–73.

Rukiye Hatun
Fatma Hatun
Saime Hatun
Hayri Hatun
İbrahim bin Abdullah[128]
Mehmed Beşe bin İbni Abdullah[129]
Selim Beşe bin Ali[130]
El Hac Mehmed[131]
Sefer[132]
Mustafa Çelebi bin Ahmed[133]
İbrahim bin Himmet[134]
Mehmed bin Hüseyin[135]
Mustafa bin Hacı Kemal[136]
Veli[137]
Mustafa Beşe bin Mehmed[138]
Hatice binti Mübarek[139]
Ömer bin Hızır[140]
Kara Mehmed[141]
Mehmed bin Ali[142]
Ebubekir bin Ali[143]
Ali Beşe bin Mehmed[144]
Mustafa Beşe bin Ali[145]
Hızır bin Durmuş[146]
Mehmed Çelebi bin Ahmed[147]
Şerife binti Yusuf[148]
Mustafa Beşe bin Mehmed[149]
Fazlullah Beşe bin Ahmed[150]
Ahmed Beşe bin Abdullah[151]
Osman bin Mahmud[152]
İbrahim Bey bin Hüseyin[153]
Mehmed bin Abdullah[154]
Sara binti Avraham[155]
Mehmed Bin Hasan[156]
Ahmed Beşe bin Mahmud[157]

128 *Eyüb Mahkemesi (Havass-ı Refia)* 3: 130.
129 Öztürk, *Tereke Defterleri*, 194.
130 *Eyüb Mahkemesi (Havass-ı Refia* 74: 106.
131 *İstanbul Mahkemesi* 12: 132.
132 *Galata Mahkemesi* 65: 166.
133 *Galata Mahkemesi* 65: 246.
134 *Galata Mahkemesi* 65: 451.
135 *Galata Mahkemesi* 65: 476.
136 *Galata Mahkemesi* 65: 599.
137 *Galata Mahkemesi* 65: 780.
138 *Galata Mahkemesi* 65: 867.
139 *Galata Mahkemesi* 65: 900.
140 *Bâb Mahkemesi* 3: 98.
141 *Bâb Mahkemesi* 3: 112.
142 *Bâb Mahkemesi* 3: 290.
143 *Bâb Mahkemesi* 3: 298.
144 *Bâb Mahkemesi* 3: 337.
145 *Bâb Mahkemesi* 3: 347.
146 *Bâb Mahkemesi* 3: 415.
147 *Bâb Mahkemesi* 3: 442.
148 *Bâb Mahkemesi* 3: 473.
149 *Bâb Mahkemesi* 3: 618.
150 *Bâb Mahkemesi* 3: 659.
151 *Bâb Mahkemesi* 3: 664.
152 *Bâb Mahkemesi* 3: 740.
153 *Bâb Mahkemesi* 3: 775.
154 *Bâb Mahkemesi* 3: 880.
155 *Hasköy Mahkemesi* 10: 94.
156 *İstanbul Mahkemesi* 18: 502.

Mustafa Çelebi bin Hasan[158]
Osman bin Abdullah[159]
Küçük Mehmed[160]
Ali Beşe bin ……[161]
İbrahim Beşe bin Halil[162]
Ümmühani binti Ali[163]
Mustafa Beşe[164]
Süleyman[165]
Alime Hatun[166]
Mehmed[167]
İvaz bin Abdullah[168]
Esirci el-Hâc Mustafâ ibn Bekir[169]
Memiş Ağa[170]
El Hac Hasan Ağa[171]
Ümmü Gülsüm[172]
Hanife Hatun ibni İbrahim[173]
Şerife Afife Hatun ibnetü Esseyyid Yahya[174]
El Hac Mehmed[175]
El Hac Mustafa[176]
El Hac Nureddin[177]
El Hac Ali[178]
El Hac Ahmed[179]
Hasan[180]
Ömer[181]
Selim[182]
Fethullah[183]
Mustafa[184]
Mehmed (1269[185])
Battalzade Hacı Ahmed[186]

157 *İstanbul Mahkemesi* 18: 544.
158 *İstanbul Mahkemesi* 18: 434.
159 *İstanbul Mahkemesi* 18: 434.
160 *Bâb Mahkemesi* 3: 110.
161 *Bâb Mahkemesi* 3: 232.
162 *Bâb Mahkemesi* 3: 330.
163 *Bâb Mahkemesi* 54: 294.
164 *Bâb Mahkemesi* 54: 315.
165 *Bâb Mahkemesi* 54: 335.
166 *Bâb Mahkemesi* 54: 373.
167 *Bâb Mahkemesi* 54: 373.
168 BOA. *C.BLD.*, no. 127/6350 19 Şevval 1137 (1 July 1725).
169 Muzaffarova, "Üsküdar Kadılığı 420 Numaralı," 161.
170 Bozkurt, "Tereke Defterleri," 32.
171 Bozkurt, "Tereke Defterleri," 426.
172 BOA. *C.BLD.*, no. 1778, 29 Rebiülevvel 1246 (17 October 1830).
173 *C.BLD.*, no. 1778.
174 *C.BLD.*, no. 1778.
175 *C.BLD.*, no. 1778.
176 *C.BLD.*, no. 1778.
177 *C.BLD.*, no. 1778.
178 *C.BLD.*, no. 1778.
179 *C.BLD.*, no. 1778.
180 *C.BLD.*, no. 1778.
181 *C.BLD.*, no. 1778.
182 *C.BLD.*, no. 1778.
183 *C.BLD.*, no. 1778.
184 *C.BLD.*, no. 1778.
185 *A.MKT.NZD.*, no. 226/54, 1269 (1852/1853).
186 BOA. *HAT.*, no. 106/44621, undated.

Abdülkadir Ağa[187]
Hamzaoğlu Hacı Hamza[188]
Hasan Ağa[189]
Mehmed Çavuş[190]
Ahmed[191]
Gülsüm[192]
Hasan[193]
Mehmed[194]
Mehmed[195]
Rahmet Ağa[196]
Rahmetullah[197]
Hasan[198]
Abdurrahman[199]
Ahmed[200]
Rahmetullah[201]
Zenci Yaver[202]
Zekiye Hanım[203]
Hacı Mehmed[204]
Hacı Abdullah[205]
Esirci Mehmed[206]

İstanbul Slave Traders in 1736[207]

Gürcü Ali
Şahoğlu Esseyyid İsmail
El Hac Ali
Çorbacı Mustafa Ağa
Benderli Ahmed
Tekeli Ömer Beşe
Boyabadlı İsmail Beşe
Eyüb Beşe
Kara İbrahim Beşe
Hemşinli Murtaza
Dal Kılıç Ali Ağa
Yağcı Bekir Ağa
Çalık Ahmed Beşe
Ankaralı Seyyid Çelebi
Yetmişbir Hacı Ahmed
Hacı Mehmed
Uzun Ali
—Mehmed Çelebi
Mahmud Reis
Filibeli Mahmud
Arnavud Oğlu Ömer

187 BOA. *A.MKT.DV.* 94/49, 1272 (1855/1856).
188 BOA. *HAT.*, no. 106/44621, undated.
189 BOA. *A.MKT.UM.*, no. 99/78, 17 Zilkade 1263 (27 October 1847); *A.MKT.*, no. 9978.
190 BOA. *A.MKT.NZD.*, no. 3/45, 3 Rebiülevvel 1266 (17 January 1850).
191 BOA. *MVL.*, no. 197/25, 7 Cemaziyelahir 1266 (21 March 1850).
192 BOA. *A.MKT.NZD.*, no. 3/72, 10 Cemaziyelevvel 1266 (24 March 1850).
193 BOA. *A.MKT.UM.*, no. 177/63, 19 Rebiülahir 1271 (9 January 1855).
194 *A.MKT.UM.*, no. 177/63.
195 BOA. *A.MKD.*, no. 89/2, 1274 (1857/1858).
196 BOA. *MVL.*, no. 186/36, 11 Muharrem 1274 (14 February 1859).
197 BOA. *MVL.*, no. 819/98, 24 Receb 1275 (27 February 1859).
198 BOA. *MVL.*, no. 782/54,12 Safer 1275 (21 September 1858).
199 BOA. *MVL.*, no. 835/29, 22 Cemaziyelahir 1276 (17 December 1859).
200 BOA. *MVL.*, no. 848/28, 9 Rebiülevvel 1278 (4 September 1862).
201 BOA. *İ. MVL.*, no. 471/ 21316, 3 Safer 1279 (31 July 1862).
202 BOA. *MVL.*, no. 870/79, 25 Safer 1282 (20 July 1865).
203 BOA. *MVL.*, no. 860/11, 11 Şevval 1280 (20 March 1864).
204 BOA. *MVL.*, no. 432/88, 27 Cemaziyelahir 1280 (9 November 1863).
205 BOA. *MVL.*, no. 432/88.
206 BOA. *İ. MVL.*, no. 555/ 2494, 18 Safer 1283 (2 July 1866).
207 BOA. *C.HR.*, no. 7087, 11 Cemaziyelahir 1149 (17 October 1736).

Kargılı Mustafa
Kürd Ali
Trabzonlu Monla Hüseyin
Latif oğlu Mustafa
Nakkaş Veli
Avratpazarında Esseyyid Hacı Ahmed
Deli Mehmed Ağa
……. Ahmed Beşe
Topal Mehmed Beşe
Tekeli Ömer Beşe
Hamza oğlu Osman Beşe
Rizeli …. Mehmed Çelebi
Rizeli Hacı Ali
İkinci Ali Çelebi
Safranbolulu Osman Beşe
Ayas Ağa
Esseyyid Hacı Osman
Serdar oğlu İbrahimin Eniştesi
Serdengeçti Hüseyin Ağa
Eski İbadullah
Tokatlı Hacı Halik
Nakkaş Ahmed
Hacı Abdullah
Hamza oğlu Ali Beşe
……. İbadullah
Üsküdarlı Halil
Bayrakdar oğlu
Silistreli Monla Ahmed
Bayrakdar Ahmed Beşe
Halil Beşe
Çorbacı Mustafa Ağa
Aydınlı Köse Mehmed
Hacı Ömer Dellalbaşı
Hemşinli Osman
Emir Hüseyin
Yirmibeş Hacak'ın Mustafa
Çolak Ebubekir Ağa
Esseyyid Emirülkerim
Kasımpaşalı Sarı Mehmed Beşe
Serdengeçti Osman Ağa
Kullukçu oğlu Mustafa
Amasyalı Hüseyin
Rizeli ….. Hüseyin
Dalkılıç Ali Ağa
Esirbazarında Hacı Ömer
Arab Kapusunda sakin Esirci Hacı Abdullah
Küçük (?) bazarda Esirci Mustafa
El Hac Ömer dellâlbaşı
Serdengeçti Ağası Mehmed Ağa
Odabaşı Dellal Mehmed
Mehmed Ağalı Dellal Hasan
Erzurumlu Seyyid Ahmed Kara Mustafa
Konyalı Ali Beşe
Esirci İsmail

Istanbul Slave Traders in 1749[208]

El Hac Ahmed
Eyüblü Mehmed Çelebi
El Hac Abdülgani
El Hac Süleyman
Osman Çırağı (?)
Abdullah
Kara İbrahim
Sinan Beşe
Ali Beşe
Bekir Çelebi
Soğancı Ali
Yusuf
Mahmud Bey
Tarakçioğlu El Hac Ali
Ali Beşe
Hacı Hasan
Rizeli Uzun Ahmed Beşe
Hacı Ramazan
Ahmed Beşe

208 BOA. *MAD.d.*, no. 10349, 14–17.

Mehmed Odabaşı
İnce Mehmed Ağa
Merre Mahmud
Mehmud Beşe
Saka osman Beşe
Şehri Mehmed Ağa
Küçük Abdullah oğlu İbrahim
Şehri İsmail
İbrahim Beşe
Ömer Beşe
Hazinedar Ali Ağa
Rizeli Küçük Osman
Mustafa yazıcı cebeci
Kazakçı Ahmed Alemdar Ahıshalı
Esseyyid Hüseyin
Refiki karındaşı Hüseyin
……. Cebeci
Refiki karındaşı Selim
Uzun Ahmed Beşe
Refiki El Hac Hasan
Piri ….. şehri Süleyman Çelebi
El Hac Mehmed
…. Mehmed
Mehmed Odabaşı
Süleyman
El Hac Ömer
Monla Mustafa
Kethüda El Hac İsmail Ağa
El Hac Salih
El Hac Ömer
Çeşmeli Hanife Hatun
Üsküdari Ahmed
El Hac Salih
Refiki oğlu Atinalı Süleyman
Hasan Ağa
Ali
Mehmed
Hüseyin
Kazakçı El Hac İsmail
Ahmed Reis
Mehmed
El Hac İsmail
El Hac Mehmed
Ali Ağa
Çolak El Hac Bekir Ağa
El Hac Mehmed
……. Osman Beşe
Atinalı İbrahim Beşe
Hemşinli Abdullah Beşe
Şehri Elhac İbrahim Ağa
Ömer Beşe
Hemşinli Osman Beşe
Saka Mehmed
Tokadi Mustafa Beşe
Refiki Alemdar Ali Beşe
Tokadi Abdullah Beşe
Seyyid Halil
Rizeli Küçük Abdullah Beşe
Rizeli Osman Beşe
Rizeli Hasan
El Hac Mustafa Efendi
Mehmed Beşe
Esseyyid Mehmed Ağa
Tatar Hasan Ağa
……. Ali Ağa
Mehmed odabaşı
Çolak İbrahim odabaşı
Ahıshalı Çil Ali Beşe
Ali
El Hac İbrahim
…….. Mehmed Beşe
…… El hac İsmail
…… El Hac Osman
…… Uzun Ali Beşe
Rizeli Gürcü Süleyman Beşe
Giresunlu Mustafa Beşe
…… El Hac Mehmed
Hasan Çelebi
Şerif Mehmed
Kara Mehmed Beşe
İbrahim
El Hac Ahmed

Kırımi İbrahim
Refikleri oğlu Ahmed ve Uzun Ali
Erzurumi Kara Mustafa
Benderli Ahmed Beşe
İzmirli Monla Ali
Gürcü Ömer Beşe
Ahıshalı Hacı Süleyman oğlu Yusuf
Atinalı El Hac Murtaza
Atinalı Ebubekir Ağa
Atinalı Çolak Mustafa
Atinalı Elhac Ömer
…… Halil odabaşı
Trabzoni El Hac Mahmud
Atinalı El Hac Mustafa
Boyabadlı İsmail Beşe
Kadı İbrahim Efendi
Trabzoni Elhac Mehmed Efendi
El Hac Ahmed
Atinalı İbrahim Beşe
Kırımi Mustafa Çelebi
Rizeli El Hac Hüseyin
Kefeli Abdullah Beşe
Rizeli Aynacıoğlu Hasan Beşe
Kırımi Lütfullah Beşe
Mısıri Esseyyid Mahmud
Kırımi Ahmed Beşe
Kırımi Monşa Hüseyin
Tamanlı Halil Beşe
……. Essyeyyid Mustafa Yakub
Tamanlı Elhac İbrahim
……. Hasan Beşe
……..… Ahmed Beşe
Uzun Osman
Ahısha yerlü kullarından Bekir
……..… Ali
Trabzoni Ali Beşe
Trabzoni Çolak Hacı Hüseyin
Rizeli Kasım
Kitabsız Uzun Mustafa
……. İbrahim Beşe
Trabzoni İsmail Beşe
Şehri Mehmed Beşe
Rizeli kuru Hacı Osman
Sinoblu İsmail
El Hac Mehmed
Ahıshalı İsmail Beşe
Trabzoni Ahmed
Gürcü oğlu İsmail
…….. Hasan
Trabzoni El Hac Süleyman
Trabzoni Osman Beşe
Gönyeli El Hac Selim
Ahıshalı El Hac İbrahim
Esseyyid El Hac Ali
Esseyyid Musa
Atinalı İbrahim Beşe
Mahmud
Trabzoni İsmail Beşe
El Hac İbrahim
Bosnavi Süleyman odabaşı
Hasan odabaşı
İbrahim odabaşı
Şehri Mehmed Ağa
Şehri Hasana Çelebi
Esseyyid Ahmed Çelebi
Abdullah odabaşı
Hacı Süleyman Çelebi
Selanikli Hasan Beşe
…..… Mehmed odabaşı
Giritli Şerife ….
Bosnavi Hatice Hatun
Ayşe Hatun
Şerife Raziye Hatun binti Mustafa
Hanife Hatun ibnetü Abdullah
Monla Hatice Hatun
Fatma Hatun
Cabi Kızı Emine Hatun
Ayşe Hatun
Kazgan Asıman Haciye (?) Hatun
…… Avratı Fatma Hatun
Zakirzade Kızı Hatice Hatun
Mısırlı validesi Ümmühan Hatun

Emetullah Hatun
Şerife Asiye Hatun
Eyüblü Emine Hatun
Çukacı …. Okumuş Hatice Hatun
….. Avratı Küçük Hatice Hatun
Diğer Şerife Hatun
Kullukçuoğlu Avratı Abide Hatun
Mehmed odabaşı
Kasım
Tuti Mahmud
Benderli Ahmed
Çolak El hac Hüseyin
Gürcü Süleyman oğlu İsmail
Katib El Hac İbrahim
Sarı Ömer
Kastamonulu Ali Bey
El Hac İbrahim
Trabzoni El Hac Süleyman
Kitabsız Mustafa

Dellalbaşı Hasan Usta[209]
Osman Usta[210]
El Hac Mahmud[211]
El Hac İbrahim[212]
Lütfullah[213]
Esseyyid Yahya[214]
Elhac Osman[215]
Hacı Alemdar[216]
Ahmed Alemdar
Ebubekir Usta[217]
Mustafa Usta[218]
Hüseyin Usta[219]
Halil Usta[220]
İsmail Usta[221]
Esseyyid El Hac Hasan[222]
El Hac Ali[223]
Kazakçı Ahmed Usta[224]
El Hac Salih[225]

209 BOA. *AE.SABHI.*, no. 199/13327, 29 Zilhicce 1199 (2 November 1785).
210 *AE.SABHI.*, no. 199/13327.
211 *AE.SABHI.*, no. 199/13327.
212 *AE.SABHI.*, no. 199/13327.
213 *AE.SABHI.*, no. 199/13327.
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BOA. *A.MKT. UM.*, no. 78/48.
BOA. *A.MKT.NZD.*, no. 185/68.
BOA. *AE SMHD I*, no. 36/2124.
BOA. *AE. SAMDII.*, no. 4/343.
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BOA. *C. DH.*, no. 19/939, 240/11984, 296/14797.
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BOA. *C.BLD.*, no. 51/2512, 60/2967, 119/5902, 127/6350, 6996, 6350,
BOA. *C.HR.*, no. 7087.
BOA. *C.MTZ.*, no. 18/865, 18/889, 20/978.
BOA. *DBŞM. d.*, no. 128,
BOA. *HAT.*, no. ; 491/24051, 754/35631, 1106/44621, 1591/54, 1649/60, 1653/14, 46236.
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BOA. *İ. DH.*, no., 330/21543, 1407.
BOA. *İ.MSM.*, no. 30/831.
BOA. *İ.MVL.*, no. 336/14509, 377/16542, 1858.
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BOA. *MVL.*, no. 58/27, 131/17, 432/88.
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Slaves on the Periphery

Natalia Królikowska-Jedlińska

The Role of Circassian Slaves in the Foreign and Domestic Policy of the Crimean Khanate in the Early Modern Period

In his chrestomathy on southeastern Europe entitled *Noord en Oost Tartarye,* Nicolaes Witsen included numerous published and unpublished descriptions of the Crimean Khanate and Circassia. The passage the Dutch scholar ascribed to François Pétis de La Croix[1] contains the following words on relations between Crimean khans and Circassian beys:

> As a token of good relations, from time to time some of Circassian beys send to the khan and to the princes in Crimea both women and auxiliary forces, if the khan needs to increase size of his troops. The khan shows his trust to these beys by handing over the education of his son to one of them. The young prince calls the bey "father" and rewards his tutor upon ascending the throne.[2]

The passage reveals the richness and complexity of Crimean Tatar-Circassian relations. It raises the issue of different forms of dependency existing in the Circassian and Crimean-Tatar societies, among which slavery is the most extreme. We learn that the beys drew slave women from the territories they controlled and sent them abroad to please the khan. The same Circassian leaders also dispatched warriors to fight under the khan's command. In exchange, the beys were granted the honor of raising a Giray prince, which allowed them to gain influence with the future ruler—and perhaps also leverage in the relationship with his father, the reigning khan. The present article shows that there were also many benefits for the khanate in placing a Giray in Circassia.

1 As Mikhail Kizilov showed, the identification of printed and oral sources Witsen used remains a complex issue. This is unfortunately also the case with the passage quoted, which was not found in the writings of François Pétis de La Croix. See Mikhail Kizilov, "Noord en Oost Tartarye by Nicolaes Witsen. The First Chrestomathy on the Crimean Khanate and its Sources" in *The Crimean Khanate between East and West (15th–18th Century)*, ed. Denise Klein (Wiesbaden: Harrassowitz 2012), 169–87, esp. 180. For more on Witsen and his description of the Caucasus, see also D. L. Vateišvili, *Nikolaas Witsen i evo svedenia o Gruzii* in D. L. Vateišvili, *Gruzia i evropeyskie strany*, vol.1, part 2: *Gruzia i Zapadnaa Evropa XIII–XVII* veka (Moskwa: Nauka, 2003), 278–538.

2 Nicolaes Witsen, *Noord en Oost Tartarye*, 2nd exp. ed. (Amsterdam: M. Schalekamp, 1705), 586.

The above description reveals the complex hierarchical structure of Circassian society, in which members differed in matters of religion. The elite members were entrusted with raising a Muslim prince and the warriors fought hand-in-hand with the Crimean Tatars, while less elevated individuals were often reduced to slavery. The passage suggests that the Circassian territory had an ambiguous status within the Crimean Tatar-Ottoman world, comprising features characteristic for both "slaving zones" and "non-slaving zones."[3]

Nearly a decade ago, Jeffrey Fynn-Paul introduced the concepts of "slaving zones" and "non-slaving zones" to the discussion on the slavery in the Greater Mediterranean.[4] He defines a slaving zone "as the geographical area impacted by a given society's demand for slaves," and a non-slaving zone as "the area considered off limits for slave raiding by that society."[5] He claims that

> the creation of the Christian and Islamic monotheistic blocs was a major turning point in the history of the Greater Mediterranean slave system, since these empires came to adopt a religio-ethical taboo against the enslavement of the majority of their inhabitants. … Both of the new monotheistic blocs therefore had to rely more strongly on external sources of slave supply, and the result was an increased pressure on the slaving zones at their peripheries.[6]

Fynn-Paul also turns our attention to the role in slave trade of small polities located on the borderlands of the empire, stating that "people who remained in small states or tribal areas on the borders of the empire thus remained especially vulnerable to enslavement, while those within imperial bounds were far less so."[7] This remark is of special importance to our study, which focuses on the role of Circassian slaves in the domestic and foreign policy of the Crimean Khanate between the 1670s and 1720s. The present article shows that serious problems with acquiring Slavic slaves from the territories of the Poland-Lithuanian Commonwealth and Muscovy during the war between the Ottoman Empire and the Holy League, and after the Treaties of Karlowitz and Istanbul,[8] created a

3 Jeffrey Fynn-Paul, "Empire, Monotheism and Slavery in the Greater Mediterranean Region from Antiquity to the Early Modern Era," *Past and Present* 205 (2009): 4.

4 Fynn-Paul, "Empire," 3–40.

5 Fynn-Paul, "Empire," 4.

6 Fynn-Paul, "Empire," 4–5.

7 Fynn-Paul, "Empire," 10.

8 Slaves and short-term war captives constituted important sources of income for the Crimean Tatars in the Early Modern Period. According to Dariusz Kołodziejczyk, whose estimates are based on the examination of various source material, the number of individuals taken into slavery from Poland-Lithuania, Muscovy, and Caucasus amounted to approximately 10,000 per year, which would give us about two million enslaved persons during the period between 1500 and 1700 (Dariusz Kołodziejczyk, "Slave Hunting and Slave Redemption as a Business Enterprise: The Northern Black Sea Region in the Sixteenth and Seventeenth Centuries," *Oriente Moderno* 86 (2006): 149–51). In his study on Polish-Crimean relations, the same

hyperexploitation of the northern Caucasian tribes for slaving purposes. Yet, there are some indications that the same period witnessed the advancement of Islamization among the Circassians as well as an evolution of Crimean-Circassian and Ottoman-Circassian relations and relations between the local beys. We argue that these changes at least partially resulted from an increased demand for slaves. The present study also examines the alternation in the attitude of the Circassians toward the Tatars and the Ottomans to determine the extent to which it can be considered an instance of slave agency.[9]

Sources

Since there are no extant written sources produced by the Circasians dating back to the Early Modern Period, research on this history is primarily based on Ottoman, Crimean-Tatar, Persian, Russian, and Western European sources. At the very best, we have Russian translations of letters sent by Circassian nobles to Moscow and written "in Turkish language."[10] The present study is based partly on sources already referenced in the literature on the subject, i. e. the collection of

researcher strongly emphasized the recurring issue of Tatar raids and their damaging role to the economy of the southern territory of the Poland-Lithuanian Commonwealth. Kołodziejczyk also turns our attention to the creation of the Ottoman province of Podole in 1672 and the new northern policy of the Ottoman Empire, which resulted in humiliating treaties in Karlowitz (1699) and Istanbul (1700). These resulted in serious blows not only to the khanate's political status in the Ottoman World, but also to its general economy; see Dariusz Kołodziejczyk, *The Crimean Khanate and Poland-Lithuania. International Diplomacy on the European Periphery (15th–18th Century): A Study of Peace Treaties Followed by Annotated Documents* (Leiden: E. J. Brill, 2011), 187–88, 194. Subsequent to 1699 and 1700, the Tatars were strictly forbidden from conducting raids on its neighboring Christian states. The sultan's order to this effect is one of the 13 documents issued by the Ottoman chancellery and recorded in the Crimean judicial court registers. Most probably, the Ottomans insisted on their being made public; see Oriental Manuscript Division of the Russian National Library in St. Petersburg [Otdel Rukopisev Rossiiskoi Natsionalnoi Biblioteki, hereafter ORRNB], Fond 917, first entry on page no. 19v in the court register no. 34). Khan Devlet II Giray, who raided Russia in 1702, paid for this insubordination with his throne; see Kołodziejczyk, *The Crimean Khanate*, 195.

9 The increased interest in the history of North American slavery after the WWII, and especially after the 1960s, allowed the scholarly discourse on the enslaved to switch "from the passive voice into the active voice"; Stephan Palmié, *Slave Cultures and the Cultures of Slavery* (Knoxville: The University of Tennessee Press; 1995), XVII. For a discussion on the most important studies on the agency and the slave agency, see Palmié, *Slave Cultures*, xvi–xxvi; John Robb, "Beyond Agency," *World Archaeology* 42 (2010): 493–520.

10 See, for example, "The Translation of the Turkish Letter Written by the Kabardian Prince Arslan, Son of Kaytuk to Peter the Great" (7 April 1722) published in *Kabardino-russkie otnošenia v XVI–XVIII vv.*, ed. Nikita A. Smirnov, Ustirkhan. A. Uligov (Moskwa: Izdatel'stvo Akademii Nauk CCCR, 1957), vol. 2, 33–34.

the Ottoman *mühimme defterleri*,[11] sources concerning the diplomacy of the Khanate and its neighboring states, and narrative accounts written by Crimean-Tatar, Ottoman, and European authors. However, this base was further expanded with two types of sources rarely used to date. The first type is Crimean court records (*sicills)*, the use of which remains very limited, though they present the judicial and administrative activities of Crimean Khanate judges and their subordinate officials and are an exceptionally valuable source of information for researching the socioeconomic history of the northern coast of the Black Sea.[12] The second source, which has seen limited use in research related to Circassian history, is correspondence between Catholic missionaries who had been sent to the peninsula or who stayed there on their way to Caucasia, and their correspondents in the Sacred Congregation for the Propagation of the Faith. This correspondence is preserved in the Propaganda Fide Historical Archives.[13]

Status of the Circassian Chieftainships Versus the Crimean Khan and the Ottoman Sultan

Crimean khans, successors to the Golden Horde, claimed sovereignty over the Circassians who inhabited the northwestern Caucasus and a part of the eastern Black Sea Coast.[14] An Ottoman chronicler, Mehmed Raşid (d. 1735), described Crimean-Circassian relations as follows:

> The Circassian tribes have long been among the vassals (*kulları*) of the Crimean khans and are subject to their orders. Their [i. e. Circassian] guards (*zâbitleri*) are appointed from the locals and [act] in the name of their bey and *sipâhî.* Yet, if a bey, a *sipâhî,* or a

11 *Mühimme Defterleri* ("Registers of Important Affairs") is the most important archival collection from the Başbakanlık Osmanlı Arşivi in Istanbul (hereinafter referred to as BOA), which was used in the present study. The registers contain copies both of the sultan's orders to provincial officials as well as his writings to foreign rulers. For more on the collection, see Suraiya Faroqhi, "Mühimme Defterleri," in *EI2*, vol. VII, 470–72; Mübahat S. Kütükoğlu, "Mühimme Defteri," in *DİA,* vol. 31, 520–23.

12 As numerous scholars have pointed out, we must exercise caution when using the court records as a source. For the most recent and comprehensive discussion on the subject, see Metın Coşgel and Boğaç Ergene, *The Economics of Ottoman Justice: Settlement and Trial in the Sharia Courts* (Cambridge: Cambridge University Press, 2016), 13–33. For more on Crimean court records, see Natalia Królikowska-Jedlińska, *Law and Division of Power in the Crimean Khanate (1532–1774). With Special Reference to the Reign of Murad Giray (1678–1683)* (Leiden: E. J. Brill, 2019), 17–25.

13 The present study uses the *Scritture originali referite nelle Congregatione* (hereinafter referred to as SOCG) fund of the Propaganda Fide Historical Archives in Rome (hereinafter referred to as APF). The fund contains documents used as a basis for discussions during the monthly meetings of the congregation.

14 Sadık Müfti Bilge, *Osmanlı Devleti ve Kafkasya* (Istanbul: Eren, 2005), 36, 44.

commoner is found guilty of a crime, the fine, which is called 'shameful,' is charged. It requires delivering a few young men and women to be reduced to slavery to the khan.[15]

From the chronicle of Silahdar Fındıklılı Mehmed Ağa (d. 1723) we learn that, in addition to the above-mentioned 'shameful' fine,[16] the Circassians were obliged to send slaves to the new khan upon his accession to the throne. In the period examined, frequent successions among the Crimean rulers made this requirement even harder to fulfil. According to Silahdar, one reason why the Circassians refused to send slaves to Khan Kaplan Giray in 1707 was that their land was becoming depopulated: Many of its inhabitants had already been reduced to slavery to honor obligations toward the previous Crimean rulers, who rotated more frequently than before.[17] Indeed, the years between 1678 and 1707 witnessed ten changes to the Crimean throne, as opposed to only three in the preceding 20 years (1658–77).[18] An entry preserved in the Crimean court registers from the late 1670s also points to Circassian beys having to find slaves for the tribute among their own subjects. The judicial record concerns a young slave named Aişe, who claimed in court that the Circassian infidels who had captured her through an unfortunate accident had illegally made her a slave and then sent her to Crimea as part of a tribute (*pişkeş*).[19] Eventually, she successfully proved her status as a Muslim woman of Nogay origins.[20]

Indications of increasing Crimean-Circassian tensions in the late 17th and early 18th centuries can also be found in European sources. For example, a Polish Jesuit, Ignatius Zapolski, who had an ambitious plan to establish a Jesuit seminary in Ganca in northern Persia to educate young Circassians and Abkhazians,[21]

15 *Tarih-i Raşid ve Zeyli*, vol. 2: 1115–1134/1703–1722, ed. Abdülkadir Özcan et al. (Istanbul: Klasik, 2013), 798.

16 *Tarih-i Raşid ve Zeyli*, vol. 2, 798.

17 Žamal J. Rakhaev, *Kabarda v sisteme meždunarodnykh otnošenii v načale XVIII v.* in *Aktual'nye problemy istorii i etnografii narodov Kavkaza*, ed. Barasbi Kh. Bgažnokov, (Moscow: Nalčik, 2009), 143.

18 For a list of the Crimean khans, see eds. Alexandre Bennigsen et al., eds., *Le Khanat de Crimée dans les Archives du Musée du Palais de Topkapı*, (Paris: Mouton Éditeur, 1978), 361–70.

19 For more on the term *pişkeş* in the language of Ottoman and Tatar diplomacy, see Kołodziejczyk, *The Crimean Khanate*, 93, 904.

20 The case is recorded as the sixth entry on page 76b in the court register no. 22 from the collection of Crimean court registers (ORRNB). For more on this case, see Natalia Królikowska-Jedlińska, *Slaves of the Crimean Khan or Muslim Warriors? On the Status of Circassians in the Early Modern Period.* The paper presented at the conference "Slavery in the Black Sea Region, C. 900–1900: Forms of Unfreedom at the Intersection between Christianity and Islam," Leiden, 30–31 May 2017.

21 For more on Ignatius Zapolski, see Joseph Krzyszkowski S.I., "Entre Varsovie et Ispahan. Le P. Ignace-François Zapolski S.I.," *Archivum Historicum Societatis Jesu*, 18 (1949): 85–117; Marek Inglot, "Misjonarze jezuiccy na Krymie od początku XVII wieku do połowy XVIII wieku," in *Polacy na Krymie*, ed. Edward Walewander (Lublin: "Bramka" Studio Komputerowo Wydawnicze, 2004), 177–204.

used two arguments to convince the Congregation of the Propagation of the Faith to assign the task to the Polish branch of the order. First, he argued that Poles would face no problems in becoming accustomed to Caucasian winters. Second, they would easily gain the trust of the local people with whom they shared the same enemy, i. e. the khanate. The missionary emphasized that both Poland-Lithuania and the northern Caucasus suffered from the slave raids conducted by the Crimean Tatars.[22] A reputed traveler, who spent many years in the Ottoman Empire at the beginning of the 18th century, Aubrey de Motray, in his short description of the unsuccessful campaign of Khan Kaplan Giray (1707–8), also noted that "when the Circassians refused to pay to the Tatar Han the annual tribute of young girls, boys, and horses agreed on between them, as the price of their living in peace, he marched against them with a great army; but being defeated … he was deposed upon his return."[23] This passage contains vital information on the alliance concluded by the Circassian beys to protect their subjects against the khanate. Similar remarks may be found in the report written by Emiddio Portelli d'Ascoli, the prefect of the Dominican mission, who visited the northern Caucasus in the 1630s.[24] It is not altogether clear when and how domestic relations in Circassia evolved to allow the united beys to successfully protect their territories against the Tatars. It is clear, however, that the khans' campaigns in the northern Caucasus in the 18th century encountered stronger resistance. Moreover, the Crimean rulers were often unable to capture many slaves or to force the beys to deliver them. Thus, the khans failed to meet the expectations of their Crimean vassals, whose welfare still depended on successful slave raids. Such was the case with the campaign of Khan Kaplan Giray and that of Khan Saadet Giray (r. 1721–23), the latter of which is described in detail below. It is striking that, despite the Crimean threat, none of the Circassian beys succeeded in gaining long-lasting supremacy over others. However, there were a few princes —namely, Temrük, the father-in-law of Ivan the Terrible,[25] and Arslan Bey, the

22 The letter of Ignatius Zapolski to the secretary of the Sacred Congregation for the Propagation of the Faith, Carolus Farboni, 5 April 1697 (APF, SOCG, vol. 527, fol. 320).

23 Aubrey de Motray, *Travels Through Europe, Asia, and into Parts of Africa* (London, 1723), vol. 1, 284.

24 Ambrosius Eszer, "Die 'Beschreibung des Schwarzen Meeres und der Tatarei' des Emidio Portelli d'Ascoli O.P.," *Archivum Fratrum Praedicatorum*, 42 (1972): 240. Such intervention was also described by Innocentius Felici da Malta, a Dominican missionary in the Crimea in the 1620s and 1630s; see the letter of Innocentius Felici da Malta to Francesco Ingoli, the secretary of the Congregation, dated 20 May 1630, APF, SOCG, vol. 115, f. 365r-v.; Natalia Królikowska-Jedlińska, "The Northern Caucasus Viewed by the Catholic Missionaries, 1625–1720s" in *Eastern Europe, Safavid Persia and the Iberian World. Frontiers and Circulations at the Edge of Empires*, ed. José Cutillas Ferrer and Óscar Recio, (Valencia: Albatros, 2019), 133.

25 Hieronim Grala, "Czerkiesi i Nogajcy w służbie Rzeczypospolitej. Kilka uwag o najemnych i posiłkowych formacjach tatarskich w drugiej połowie wieku XVI", *Prace Naukowe Wyższej Szkoły Pedagogicznej w Częstochowie. Zeszyty Historyczne*, 6 (1998): 15–35, esp. 22–24.

head of the Kaytukoğlu clan discussed in the final section of the present study—who managed to extend their power to rule over some of the neighboring chieftainships during their lifetimes.[26]

The khans rarely interfered in Circassian domestic affairs unless invited by one side of the conflict, as long as the locals refrained from raiding Crimean and Ottoman lands and paid their tribute in slaves. However, when the Circassians refused to fulfill their obligations, the khans conducted punitive campaigns. A comparison of accounts of such military operations from the mid-16th century[27] and the early 18th-century[28] reveals similarities in planning and organizing these actions. In both periods, the Crimean ruler acted hand-in-hand with the Ottomans and could count on their military support. Although the Sublime Porte, as Mehmed Raşid stated, acknowledged the khan's sovereignty over the Circassians, the Ottomans interfered in the northern Caucasus by sending reinforcements for the Tatar punitive wars campaigns and providing rewards for the local leaders taking part in the Ottoman ones.[29] It should be emphasized that the Sublime Porte recognized the khan's right to lead the Circassian troops into battle.[30] Still,

26 Paul Bushkovitch, "Princes Cherkasskii or Circassian Murzas: The Kabardians in the Russian Boyar Elite, 1560–1700," *Cahiers du Monde russe*, 45 (2004): 9–29.

27 The earliest detailed descriptions of the Crimean punitive campaigns in Circassia are preserved in the "History of Khan Sahib Giray." This Crimean chronicle was authored by Bedr ed-Din Mehmed, son of Mehmed Kaysunizade Nidam Efendi, known as Remmal Hoca. He reached the Khanate from the Ottoman Empire as a retinue member of Khan Sahib Giray in 1532. He finished his writing in 1553, after the tragic death of his patron Khan Sahib Giray. The chronicle and its French translation were published by Özalp Gökbilgin: *Tarihi Sahib Giray Han*, ed. Özalp Gökbilgin (Ankara: Atatürk Üniversitesi Yayınları, 1973).

28 For a detailed description of these campaigns, including a review of primary sources, see Natalia Królikowska-Jedlińska, "The Crimean Tatars as Rebels and Defenders of Status Quo in the Early Modern Period," in *Paradigmes rebelles: Pratiques et cultures de la désobéissance à l'époque mo derne*, ed. Gregorio Salinero, G., Águeda García Garrido, and Radu G. Paun (Bruxelles : P. I. Lang, 2018), 461–63, 466–68; Królikowska-Jedlińska, "The Northern Caucasus," 134–36.

29 See, for example, the sultan's privilege granting an allowance to two sons of the bey of Žane, whose territory was situated to the north of the fortress of Soğucak and to the south of the river Kuban (E. P. Alekseeva, "Čerkessia v XVI–XVII vv." in E. P. Alekseeva, *Očerki po ekonomike i kul'ture narodov Čerkessii v XVI–XVII vv.*, Čerkessk 1957), BOA, *Mühimme Defterleri,* Register No. 4, Document No. 2104 (1 September–1 October 1578). See, for example, the order to the Circassian and Abkhazian bey from the territory between Caffa and Şirvan dated 9 April–7 May 1578 (BOA, *Mühimme Defterleri,* Register No. 32, Document No. 318), the order to the mirzas of Kabarda dated 27 December 1582–24 January 1583 (BOA, *Mühimme Defterleri,* Register No. 44, Document No. 218), the order sent to the Žane bey and the Orakoğlu mirza dated 1–30 May 1585 (BOA, *Mühimme Defterleri,* Register No. 58, Document No. 454); the order sent to the Circassian governor of Taman dated 1 December 1586 (BOA, *Mühimme Defterleri,* Register No. 61, Document No. 41).

30 See, for example, the order to the Circassian and Abkhazian beys from the territory between Caffa and Şirvan dated 9 April–7 May 1578 (BOA, *Mühimme Defterleri,* Register No. 32, Document No. 318), the order to the mirzas of Kabarda dated 27 December 1582–24 January

the Ottoman officials contacted the Circassian leaders directly. For example, during the war with Persia in 1581, the beys of Žane, Kemerköy, Kabarda, Beslanay, Karayutak, and Gemirköy(?) received copies of the order originally addressed to the governor of Adana, Mehmed Bey, about silver miners sent to Demirkapı.[31] Likewise, the Sublime Porte sent requests to assist Osman Paşa to the beys of Kabarda and the Circassian mirzas, namely, to Aydın Mirza and Cansuk Mirza, in 1582.[32]

Social Structure and Religiosity of the Circassians

In light of the above information on direct contacts between the Sublime Porte and various Circassian leaders, I would like to provide an overview of Circassian social structure in the Early Modern Period.

Political fragmentation characterized the northern Caucasus. Narrative sources and Ottoman documents present diverging lists of local chieftainships. Although there is still much to learn about Circassian politics and Circassian social structure, researchers agree that the tribes differed in the complexity of their class structure. While the tribes from the mountainous regions of western Circassia were more egalitarian, the Kabardians to the East were characterized by an elaborate social structure, for example, the local nobility were divided into five subclasses. Among the Kabardians, it is also possible to name at least four subclasses of commoners. While the beys, whose titles were hereditary and who wielded considerable power, formed the highest subclass of the nobility, at the base of the social pyramid lay the serfs[33] and slaves. According to the reputed specialist on the Circassians, Amjad Jimoukha, the members of the first group could be sold into slavery by their noble master as a form of punishment.[34] Jimoukha states that prisoners of war were the original source of slaves in Circassia.[35] In contrast to the Ottoman world,[36] slave status was hereditary: When

1583 (BOA, *Mühimme Defterleri,* Register No. 44, Document No. 218), the order sent to the Žane bey and the Orakoğlu mirza dated 1–30 May 1585 (BOA, *Mühimme Defterleri,* Register No. 58, Document No. 454); the order sent to the Circassian governor of Taman dated 1 December 1586 (BOA, *Mühimme Defterleri,* Register No. 61, Document No. 41).

31 BOA, *Mühimme Defterleri,* Register No. 42, Document No. 383.

32 BOA, *Mühimme Defterleri,* Register No. 44, Document No. 218.

33 For an overview on serfdom in Eastern Europe, see David Eltis, Stanley L. Engerman, "Dependence, Slavery, and Coerced Labor in Time and Space," in *The Cambridge World History of Slavery*, ed. David Eltis and Stanley L. Engerman, vol. 3 (Cambridge: Cambridge University Press, 2011), 5–7.

34 Amjad Jaimoukha, *The Circassians. A Handbook*, (London: Routledge, 2001), 160.

35 Jaimoukha, *The Circassians*, 160.

36 Ehud Toledano, "Enslavement in the Ottoman Empire in the Early Modern Period" in *The Cambridge World History of Slavery*, vol. 3, 29.

unfree individuals married, they produced enslaved children.[37] Most likely, the majority of individuals sent as slaves to the khanate came from these two social groups. Numerous Early Modern authors, however, have criticized the Circassians for selling their own children into slavery, which would indicate that even youths of higher social status (free peasants, warriors, nobles) could become slaves.[38] In the 19th century, Hakan Erdem[39] described the phenomena of parents selling their children into slavery, motivated in part by the desire to secure a better life for their offspring.

In the Ottoman Empire, Ehud R. Toledano emphasizes the "constant dwindling of the enslaved population and the absence of a capacity to replenish the supply of slaves internally" because of sociocultural practices strictly connected with the practice of Islamic law.[40] Thus, numerous individuals disappeared from the empire's enslaved population and could not be replaced internally. So, how did Circassian faith and religiosity influence their attitudes toward the enslavement of their kinsmen? Did they develop any kind of religio-ethical taboo, as suggested in the Fynn-Paul model?

The ambiguity in the references to Circassian faith and religiosity makes it hard to clearly answer these questions. In the mid-16th century, the chronicler Remmal Hoca[41] clearly describes the Circassians as infidels. Yet, from Ottoman documents preserved in the *mühimme* registers, we learn of several Circassian leaders and members of their families whose names, such as Mehmed or Davud, would indicate their being Muslims. When Dominican missionaries arrived in Crimea in the 1620s, they were told that the Circassians had abandoned the Christian faith only very recently, and that they had fallen under the influence of Islam. Although our knowledge about the spread of Christianity in Circassia prior to the 17th century is limited, researchers indicate that it began in Georgia during the Bagratids' control over the eastern part of the region from the 13th to the 15th centuries. In the western communities, the Circassians found themselves under the influence of the Catholic Church through the Genoese colonies. Yet, as soon as the power of both the Bagradits and the Genoese ended in the 15th century, the Circassians abandoned most of their Christian customs. Catholic missionaries working in the region in the 17th and 18th centuries failed to find

37 Jaimoukha, *The Circassians*, 160.

38 See, for example, the letter of the prefect of the Dominican missionaries in the Crimea (1625–1636), Emiddio Portelli d'Ascoli to Francesco Ingoli, the secretary of the Congregation dated 15 December 1625 (APF, SOCG, vol. 209, f. 528r–530r) or the account of Aubrey de Motray: *Travels Through Europe,* 1:250.

39 Hakan Erdem, *Slavery in the Ottoman Empire and its Demise, 1800–1909* (London: Macmillan Press, 1996), 50.

40 Toledano, "Enslavement," 29.

41 See footnote no. 27.

convincing proof of the land being Christian, noting only a few customs like using the sign of cross, which gave proof of some knowledge of their ancestor's faith rather than the religiosity of 17th-century Circassians. Numerous descriptions also indicate that they supplemented the costumes of the chosen monotheistic creed with animistic beliefs and old traditions.[42] Yet it should be emphasized that, in the passage from the chronicle of Silahdar concerning the campaign of the years 1707–8, Circassians were depicted as newly converted[43] and zealous Muslims. As a result, they asked the khan to cease the practice of reducing their kinsmen into slavery. The author therefore suggests the Circassian were conscious of Islamic practices concerning enslavement and attempted to benefit from this knowledge in their relations with the khanate and the Ottoman Empire.[44] Yet there is no indication that they in fact developed any kind of religious taboo with regard to the social caste of slaves existing in many Circassian chieftainships.

The Campaign in the Caucasus During the Reign of Khan Saadet Giray (1721–23)

Finally, we would like to relate the story of the military campaign that Crimean Tatars conducted from 1721 to 1723 in Circassia during the reign of Khan Saadet Giray. We believe that it can serve to crown our brief discussion on the Circassian slaves and their role in the Crimean foreign and domestic policy.

A well-informed Crimean chronicler, Abdulgaffar el-Kırımi,[45] left a description of the Tatar military expedition in eastern Circassia, i. e. Kabarda, in the

42 Evliya Çelebi, *An Ottoman Traveller: Selections from the Book of Travels of Evliya Celebi*, ed. and transl. Robert Dankoff and Sooyong Kim (London: Eland Books, 2010), 245–46; Mehmed Yaşar, "Evliya Çelebi in the Circassian Lands: Vampires, Tree Worshippers, and Pseudo-Muslims," *Acta Orientalia Academiae Scientiarum Hungaricae* 67 (2014): 75–96; Amjad Jaimoukha, *The Circassians,* 137–48; the report of Raymund Charzewski, the prefect of the Dominican mission in the Crimea dated 1655 (APF, SOCG, Vol. 210, F. 504v).

43 Chantal Quelquejay, David Ayalon, and Halil İnalcık, "Čerkes," in *EI2 Online* (accessed on 9 October 2017).

44 Rakhaev, *Kabarda v sisteme meždunarodnykh otnošenii*, 143; S. N. Beytuganov, *Kabarda : istoria i familii* (Nalčik : Elbrus, 2007), 336–38.

45 Abdulgaffar el-Kırımi was a Crimean Tatar nobleman, who was active as a judge, a secretary of the khan, and a special envoy in various diplomatic missions in the first half of the 18th century. The transliteration of the chronicle has been published; see Abdulgaffar Kyrymi, *Umdet al-akhbar*, ed. Derya Derin Paşaoğlu (Kazan: Iazma Miras, 2014). For more on the chronicler, see Nariman Seyyityahya, "Učenyi iz Karasu Abdul'gaffar Kyrymi i ego istoričeskoe čočinienie," in *Čoban-zade. Sbornik materialov iz krymskoi mežnunarodnoi konferentsii. Belogorsk (Karasubazar), 23–25 maja 2012 g.*, ed. A.R. Emirov (Simferopol: NATA 2013), 222–42.

years 1721–23. The chronicler notes that, in 1721, Khan Saadet Giray received information from his son Salih Giray, who had been raised by Kabardian nobles from the Hataguzoğlu clan. The prince warned him that, although most of the local clans supported the policy of the Crimean Khanate, the powerful Kaytukoğlu clan should be counted among its enemies. Upon hearing this news, the khan organized his troops and without further delay set off to Kabarda. Then, as el-Kırımi enigmatically informs us, the Tatars did not achieve anything during the next year because of their numerous mistakes, lack of decision making, and the procrastination of military actions. Their most important local opponents, the Kaytukoğlu clan, used this time to convince the locals to unite against the Crimean Tatars. They convinced the other Circassians threatening them that otherwise "you would fall into the Crimean slavery."[46] The khan sent the famous warrior Bakht Giray against them, but the Circassians, who had learned about this plan in advance, were well prepared and the expedition failed, whereupon the khan ordered a retreat. After 2 years, Abdulgaffar concludes, the Tatars drove home a very limited number of slaves.[47]

The correspondence preserved in the Russian Archive of Internal Affairs and published in *Kabardino-russkie otnošenia v XVI–XVIII vv.* by Nikita A. Smirnov, Y. A. Uligov offers us the Circassian point of view on this conflict—or at the very least, how they presented it in Moscow. Although the correspondence confirms the most important facts noted by Abdulgaffar el-Kırımi, it adds to our understanding of the events described. According to the Russia translations of the letters sent between 1720–23 by the head of Kaytukoğlu clan, Arslan Bey, the initial support of the Kabardian beys was offered only reluctantly. He underlined that the khan threatened the beys that if "they do not wish to obey him, he should raid them and enslave all of them."[48] From these letters, as well as the correspondence sent by the Russian Council of Foreign Affairs and Peter the Great himself to Arslan Bey, Kalmyk Khan Ayuka, and the Russian governor of Astrakhan, Aytemir Wolonski,[49] we learn that it took almost 3 years for the Kabardian nobles to receive Russian support, which eventually led to the failure of the Crimean khan's expedition.

It is vital to underline the consequences of the unsuccessful campaign for Crimean domestic policy. In 1724, Saadet Giray faced a rebellion of his most important vassals—the powerful clan of the Şirins—which eventually led to his deposition. Both Adulgaffar el-Kyrimi and the official chronicler of the Ottoman court, Çelebizade İsmail Asım Efendi, maintained that the rivalry over a desirable

46 Kyrymi, *Umdet*, 180.
47 Kyrymi, *Umdet*, 180.
48 *Kabardino-russkie otnošenia v XVI–XVIII vv.*, vol. 2, 33.
49 *Kabardino*, vol. 2, 35–39.

bride between a client of the Şirins and a client of the khan was the direct cause of the rebellion.[50] Yet, we would argue that the disappointment of the Crimean nobles, who returned home almost without slaves after a long and hard campaign in the Caucasian mountains, must have been the most important reason for their rising up against the khan, which eventually led to his deposition.

Conclusion

Provisions of the Treaties of Karlowitz and Istanbul established for the first time a permanent boundary between the Ottoman Empire on the one hand and Poland-Lithuania and Muscovy on the other. The Circassia thus remained the unique available source of slaves for the Crimean Tatars. The increased pressure of their slave raids on Circassia forced many of the local beys to conclude alliances against the common enemy as well as to more actively seek assistance in Moscow. It is noteworthy that they concurrently negotiated with the khan to lower their obligations toward the khanate. These attempts were in vain, as no Crimean ruler could accept any solution that deprived his vassals of the unique remaining source of slaves. Thus, the khans of the first quarter of the 18th century organized the campaigns against the Circassians to capture slaves similarly to how their predecessors had in the 16th and 17th centuries. Yet, in contrast to previous centuries, they had fewer chances to force the Circassians to pay the tribute in slaves. The examples of Kaplan Giray and Saadet Giray demonstrate that the failure in the northern Caucasus equaled the khan's deposition.

Finally, I would like to address the issue whether the case study presented on the Circassian-Tatar-Ottoman relations adds to our understanding of the slave agency. First, it should be emphasized that there is no dichotomy between the free Tatars and Ottomans on the one hand and the enslaved Circassians on the other. During the whole period in question, we observe that slaves formed the lowest class of the Circassian society, and that they were most probably send abroad whenever the Circassian elites were forced to pay tribute to the khan. Our sources indicate that the Circassians stood up to the Tatar and Ottoman demands of slaves in two ways: by military resistance and by negotiations. Clearly, the rebellions against the khanate were organized and headed by the elite members dissatisfied with being deprived of their own subjects. Yet, no data exist concerning either the pressure of the lowest classes on the local beys to force them to oppose the Tatars and the Ottomans or active role of the serfs and slaves in the Circassian military campaigns. Negotiations were also led by the elite members. Given the issue discussed, we would like again to draw attention to the claim of

50 Kyrymi, *Umdet*, 181; *Tarih-i Raşid ve Zeyli*, vol. 3, 1396–97.

the advanced Islamization of the Circassians used as an argument against turning them into slavery. To date, we have only the unique mention on this line of negotiations made by Silahdar and thus cannot establish whether the lowest classes, like the elites, were conscious of Islamic practices concerning enslavement and attempted to benefit from this knowledge in their relations with the khanate and the Ottoman Empire. Further study on this phenomenon may add to our understanding not only of the Circassian religiosity, but also of the slave agency among the local lowest classes.

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After Abolition

Sarah Buessow / Johann Buessow[1]

Domestic Workers and Slaves in Late Ottoman Palestine at the Moment of the Abolition of Slavery: Considerations on Semantics and Agency

In recent years, our knowledge about slavery and dependent labor in the late Ottoman Empire has greatly expanded and diversified. Following general overviews by pioneer researchers, notably Gabriel Baer,[2] Hakan Erdem,[3] Ehud R. Toledano,[4] Emad Helal,[5] Madeline Zilfi,[6] and Terence Walz and Kenneth M. Cuno,[7] research has been increasingly focused on micro studies to obtain more insight into particular aspects of slavery, such as the social life of slaves and their perception and integration in society. Most studies on slaves and slavery in the Islamic Mediterranean and central Ottoman Empire concentrate on regions of the Empire into which particularly high numbers of slaves were imported and sold and where historical sources provide privileged insight into some of the above-mentioned aspects. This is especially true of the province of Egypt and the

1 This article builds on research conducted in the framework of the research project "Gaza during the Late Ottoman Period," which has been co-directed by Yuval Ben-Bassat and Johann Buessow and financed by the German-Israeli Foundation for Scientific Research and Development (grant GIF 1226). We thank Yuval Ben-Bassat and Khaled Safi for their contributions. Special thanks are due to Carol Rowe for her meticulous editing and insightful comments. For Arabic words that we transliterate, we have followed the style of the *International Journal of Middle East Studies* (IJMES) for the first usage and have dropped the diacritical marks subsequently. Ottoman Turkish words and names are rendered in modern Turkish spelling.

2 Gabriel Baer, "Slavery in Nineteenth Century Egypt," *Journal of African History* 8 (1967): 417–41.

3 Hakan Erdem, *Slavery in the Ottoman Empire and Its Demise, 1800–1909* (London: Palgrave Macmillan, 1996).

4 Ehud R. Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle: University of Washington Press, 1998); Toledano, *As If Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press, 2007).

5 Emad Helal (ʿImād Aḥmad Hilāl), *Al-Raqīq fī Miṣr fī-l-qarn al-tāsiʿ ʿashr* (Cairo: al-ʿArabī li-l-Nashr wa-l-Tawzīʿ, 1999).

6 Madeline C. Zilfi, *Women and Slavery in the Late Ottoman Empire: The Design of Difference* (Cambridge: Cambridge University Press, 2010).

7 Terence Walz and Kenneth M. Cuno, eds., *Race and Slavery in the Middle East: Histories of Trans-Saharan Africans in Nineteenth-Century Egypt, Sudan, and the Ottoman Mediterranean* (Cairo: American University in Cairo Press, 2010).

imperial capital, Istanbul. Sources used include administrative documents such as census data (especially the Egyptian censuses of 1848 and 1868), court documents, literary accounts such as journals and pamphlets, and even gravestones.[8] Other regions of the Empire, where, as a rule, slavery was less prominent in terms of numbers, such as the Syro-Palestinian region (*Bilad al-Sham*), have received much less attention.[9]

Up to 1.3 million slaves from Africa alone are estimated to have been transported to the Ottoman Empire, including Ottoman Egypt and North Africa, during the 19th century.[10] Although trade in slaves was officially forbidden, ownership of slaves was not, and possession and use of slaves continued into the early 20th century. Ottoman officials generally tried to steer a compromise course in order to satisfy the demands of abolitionists and at the same time not to alienate conservative forces within the Empire.[11] Ottoman Egypt made up the lion's share of slave trade and slave holding, while in the region of Palestine, its direct neighbor, both phenomena were of much smaller proportion.

This chapter takes the micro-study approach and uses it to probe the hitherto largely unexplored complex of slavery and unfree work in late Ottoman Pales-

8 For slaves in administrative sources, see, for example, Terence Walz, "Sudanese, Habasha, Takarna, and Barabira: Trans-Saharan Africans in Cairo as Shown in the 1848 Census," in *Race and Slavery in the Middle East: Histories of Trans-Saharan Africans in Nineteenth-Century Egypt, Sudan, and the Ottoman Mediterranean*, ed. Terence Walz and Kenneth M. Cuno (Cairo: American University of Cairo Press, 2010), 43–76; Kenneth M. Cuno, "African Slaves in Nineteenth-Century Rural Egypt: A Preliminary Assessment," in Walz and Cuno., 77–98; Veruschka Wagner, "Şimerd, Mosiye und Payidār: Sklaven im frühmodernen Istanbul in den lokalen Gerichtsakten," in *Sklaverei in der Vormoderne: Beispiele aus außereuropäischen Gesellschaften*, ed. Christoph Marx et al., *Dhau: Jahrbuch für außereuropäische Geschichte* 2 (2017): 83–98; for a journalist's discussion of their destinies after manumission, see Eve M. Troutt Powell, "Slaves or Siblings? Abdallah al-Nadim's Dialogues about the Family," in *Race and Slavery in the Middle East: Histories of Trans-Saharan Africans in Nineteenth-Century Egypt, Sudan, and the Ottoman Mediterranean*, ed. Terence Walz and Kenneth M. Cuno (Cairo: The American University of Cairo Press, 2010), 217–28. For information on concubines and eunuchs gleaned from tombstones, see Douglas Scott Brookes and Ali Ziryek, *Harem Ghosts: What One Cemetery Can Tell Us about the Ottoman Empire* (Princeton, N.J.: Markus Wiener, 2016).

9 For a study on slavery in 17th-century Jerusalem court registers, see the chapter by Yehoshua Frenkel in this volume.

10 See the estimate by Ralph Austen in Ehud Toledano, "An Empire of Many Households: The Case of Ottoman Enslavement," in *Slaves and Households in the Near East*, ed. Laura Culbertson (Chicago, Ill.: University of Chicago Press, 2011), 85–97, 89, and the discussion of the figures in footnote 17. John Hunwick, "Black Slaves in the Mediterranean World: An Introduction to a Neglected aspect of the African Diaspora," *Slavery and Abolition* 13 (1992): 5–38, and Albertine Jwaideh and J.W. Cox, "Black Slaves of Turkish Arabia during the 19th Century," *Slavery and Abolition* 9 (1988): 45–59, contain equally high estimates. See Toledano, *Slavery and Abolition*, 9.

11 Toledano, *As If Silent*, 134–35.

tine.[12] Our main source is a sample of Ottoman census registers. In order to better understand the social and cultural contexts of the census entries, we also consult a variety of narrative sources in Arabic and Western languages. In fact, these sources testify to a transition phase between long-standing practices of unfree work and other forms of domestic work carried out by various sorts of migrant workers, and a new reality following the abolition measures in the second part of the 19th century.

We argue that this social phenomenon is still of relevance for today's societies in the region. The most visible reminders are communities of black, Arabic-speaking people in Israel and Palestine, who every few years attract the attention of the news media.[13] They are generally believed to be the descendants of Hajj pilgrims who remained in Jerusalem on the way back from Mecca or of slaves, who mostly arrived sometime during the 19th and early 20th centuries. However, not much is known about their origins and their living conditions in late Ottoman Palestine. The nature of our sources has led us to focus on two aspects. The first aspect is the semantics of slavery and domestic work. This is of vital relevance to our argument. As the census does not distinguish between legally "free" and enslaved persons, it is only through an apt understanding of the terminology that we can hope to establish who among the domestic workers mentioned was a slave or a descendant of slaves. Furthermore, we use semantic analysis in order to gauge the extent by which categories of race and gender conditioned the identification of domestic workers. The second focus of the present article can be broadly defined as 'agency.'[14] Here, we concentrate on evidence concerning strategies that migrant domestics and their children adopted to achieve some measure of integration into local society. We open our discussion with some general observations on the character of this local society, followed by the illustration of typical situations in which we find slavery and dependent work

12 This is the conventional term in research to refer to the region, which later became known as Mandatory Palestine, even though there was no separate entity bearing this name during the Ottoman period.

13 For example, Ilan Ben Zion, "The Old City's African Secret," *The Times of Israel*, 6 April 2014, https://www.timesofisrael.com/the-old-citys-african-secret/ (accessed on 30 August 2019). For an oral history interview on the history of today's "African Quarter" in Jerusalem, see Charmaine Seitz, "Pilgrimage to a New Self: The African Quarter and Its People," *Jerusalem Quarterly* 16 (2002): 43–51.

14 Following an important observation by Juliana Schiel, Isabelle Schürch, and Aline Steinbrecher, we need to note here that the "agency" we can observe in our sources is in most cases "interagency," which is to say that in the vast majority of cases (if not always) we can observe the strategies and behavior of slaves and domestic workers only in their interaction with others, usually their masters or other people of superior social status. See J. Schiel, I. Schürch, and A. Steinbrecher, "Von Sklaven, Pferden und Hunden: Trialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte* 32 (2017): 22.

mentioned for our period and region. In order to capture more variety, we cast our net more widely than in the rest of the article and include examples not only from Palestine but also from neighboring regions of *Bilad al-Sham*. In the second part of our article, we turn to a particular archival source, the Ottoman census of 1905. Using samples of the census records from the region's main urban center, Jerusalem, and from a secondary urban center, Gaza, we present general observations on the living conditions of domestic servants. Semantics is key in this section, as much of our argument depends on interpretation of the Ottoman Turkish and Arabic terms used in the census records, as well as on personal names and toponyms. In the third section of the article, we focus on generational data contained in the census records. Comparing the information on parents who came to Palestine as domestic workers with the data on their children, we present some hypotheses concerning the life courses and agency of domestic servants in Jerusalem and Gaza.

Slavery and Dependency in Late Ottoman *Bilad al-Sham:* Types and Situations

The following is a number of 'snapshots' of situations involving slaves and servants that we find in narrative sources. These short narratives shed light on various types of asymmetrical dependency as well as on typical situations in which the subject was brought up in public discourse in late Ottoman *Bilad al-Sham*.

Slaves as Conspicuous Status Markers, Damascus in the 1830s

To be in possession of a slave was in many parts of the Ottoman Empire an important symbol of elite status and wealth, the hallmark of a prosperous household. Along with his attire and his mount, it was the slave at his side who flagged up a nobleman's nobility. The same applied to noble women, and to non-Muslims as much as Muslims, locals as much as foreigners.

An anonymous Arab chronicler who described public life in Damascus in the 1830s, during the period of Egyptian rule, mentions slaves only in passing, but they appear on various levels. Interestingly, it is J.W.P. Farren, the consul of Great Britain, i. e. the power that had passed the first abolition act in 1833, who is the first to appear in the chronicle in the company of slaves. When Farren entered the city in 1834, the chronicler reports, he came with an entourage that was intended to impress the local public, including two slaves: "In the [British] consul's en-

tourage from Beirut were twenty four cavalry soldiers under modern military (*nizami*) flags, eight riflemen, two slaves (*ʿabdayn*), and three translators (*dragomans*), a lieutenant and a treasurer."[15]

The chronicler, who identifies himself as a Greek Orthodox Christian, gives much coverage to Muslim–Christian relations. Among many other details, he mentions that, when an Ottoman governor resumed responsibility for the city of Damascus after the Egyptian withdrawal in 1840, he was anxious to proclaim that the Christians would not lose any of the privileges they had enjoyed under the administration of the Egyptian governor Ibrahim Pasha. According to our chronicler, the first of those privileges mentioned was the right to keep female slaves: "The governor (*mütesellim*) … sent out a public crier announcing that a Christian could keep female slaves (*jawār*), wear a white turban, ride a horse, drink arak and wine and live as in the days of Ibrahim Pasha and better …."[16]

Keeping slaves was certainly not something that the average inhabitant of Damascus could afford regardless of his or her religious affiliation. The right to keep slaves, in this context, rather functions as a rhetorical device to illustrate that Christians were on an equal footing with free Muslims and not subject to discriminatory regulations, such as those enshrined in the so-called "Pact of Umar," which included restrictions on clothing and the interdiction of riding horses.[17] Ironically, in this context, the right to keep slaves served as a symbol of freedom and equality. It is interesting to note, that "female slaves" were specifically referred to in this context. We may assume that their value as symbols of social status was even higher than that of male slaves.[18]

15 Johann Buessow and Khaled Safi, eds., *Damascus Affairs: Egyptian Rule in Syria through the Eyes of an Anonymous Damascene Chronicler, 1831–41* (Würzburg: Ergon, 2013), 88 (Arabic text ٥٦).

16 Buessow and Safi, eds., *Damascus Affairs*, 162 (Arabic text ١٣٤). According to the chronicler, his proclamation revoked an earlier one by the Consultative Council (*diwān al-mashwara*) of Damascus. Buessow and Khaled Safi, eds., *Damascus Affairs*, 161 (Arabic text ١٣٢).

17 Mark R. Cohen, "What Was the Pact of Umar? A Literary-Historical Study," *Jerusalem Studies in Arabic and Islam* 23 (1999): 100–57.

18 The word used in the chronicle, *jawār* (sg. *jāriya*), can also denote concubines. It is unclear whether this was the intended meaning. In fact, some Christian men in the imperial capital Istanbul did keep concubines, at least during the early period of Ottoman rule over the city. Eugenia Kermeli, "Ebussuud Efendi," in *Christian-Muslim Relations A Bibliographical History*, ed. David Thomas and John Chesworth, vol. 7 (Leiden: Brill, 2015), 720.

Metaphors of Slavery and Servanthood in Official Communication during the 1830s

The symbolism of the slave thus transcended social distinctions by class, gender or race. It seems reasonable to assume that it received powerful resonance through widely-used religious and political metaphors of slavery and servanthood. Our anonymous chronicle provides two examples of the use of such metaphors. The first is in a petition by "the people and their mollahs" (*ahl al-balad wa-mawālīhā*) in Damascus to Sultan Mahmud II, in 1831, in which they ask for the sultan's pardon after the Ottoman governor had been killed in an armed uprising: "Your Excellency, we complain to God and to you, because we are your slaves and your flock, and we throw ourselves at your knees and obey your orders. We beg you in your mercy to send one of your officials to govern us as a master would govern his slaves …"[19] Here, the slave metaphor is clearly meant to express utmost obedience and loyalty. At the same time, it includes an expectation of mercy and justice, as the equation between "slaves" and "flock" in the first sentence underlines. The slave master appears to be the same as the "good shepherd," who has been much invoked in Middle Eastern political texts since Antiquity.[20] According to our chronicler, the governor (*mütesellim*) of Beirut used the same metaphor in his response to British demands to surrender the city in 1840, when he wrote "I am [only] a slave under orders (*ʿabd maʾmūr*)."[21] The word *maʾmūr*, which during the 19th century became lexicalized as the standard term for "state official" in Arabic and Ottoman Turkish, is taken literally here to convey the image of the official as a loyal recipient of orders or "servant of the state" as in the English expression "civil servant."

19 Buessow and Safi, *Damascus Affairs*, 46.

20 Linda T. Darling, *A History of Social Justice and Political Power in the Middle East: The Circle of Justice from Mesopotamia to Globalization* (Abingdon: Routledge, 2013), index, "Shepherd/s/ing;" Heidemarie Doganalp-Votzi and Claudia Römer, *Herrschaft und Staat: Politische Terminologie des Osmanischen Reiches der Tanzimatzeit* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2008), 181–82.

21 Buessow and Safi, *Damascus Affairs*, 147.

Slaves in the Discourse of European and Local Observers in Late Ottoman Palestine

In Palestine, slaves are often mentioned in rural contexts, where they appear as trappings of local tribal shaykhs.[22] James Finn, the British consul in Jerusalem (1846–63), quotes a rural shaykh who ridiculed the idea that he would invest economic surplus into the building of roads. Rather, he is reported to have said he would invest in assets that would testify to the grandeur of this household, including a slave: "When I have money to spare I lay it out on a house, a slave, a diamond, a fine mare or a wife …"[23]

In 1876, an article in *Die Warte*, a journal published by the German Protestant Templer community in Jaffa, contended that the slave trade in the port of Jaffa was still flourishing precisely because of this local demand for slaves as prestige items: "The slave trade is still thriving here and naturally is carried on in a completely public fashion. Each family that wants to be 'noble' needs to own one or more such unhappy blacks."[24] ʿUmar al Ṣāliḥ al-Barghūthī (1894–1965), a lawyer and political activist during the Mandate period and himself a son of a rural shaykh, makes a similar assertion when, in his memoirs, he mentions slaves in his hometown Dayr Ghassāna, between Jaffa and Nablus: "During the late 19th century, it was almost impossible for a man to call himself a 'nobleman' (*wajīh*) without having a black slave to accompany him on his errands."[25] According to Barghuthi, slaves, along with travelling artists, provided entertainment in the form of music, singing and dance in "aristocratic" households of his home region. The models he often cites for this and other cultural practices are mediaeval Arab court culture and Bedouin customs.[26]

It is noteworthy that, with the exception of the first quotation, it is always the "black slave" that is mentioned in these contexts. This may have had to do with the fact that white slaves were more expensive and that trade in them had already been abolished. It may also have to do with the more striking visual appearance of a black African accompanying his fair-skinned master. Photographs show tribal

22 The ownership of slaves, however, was not restricted to "noble" households. In Egypt, a transit country for the slave trade, slaves were also common in ordinary households. For slavery in Egypt, see Walz, "Sudanese;" Baer, "Slavery."

23 James Finn, *Stirring Times, or, Records from Jerusalem Consular Chronicles of 1853 to 1856*, ed. and comp. Elizabeth Anne McCaul Finn, vol. 1 (London: C.K. Paul & Co., 1878), 191.

24 *Die Warte*, 8 February 1877, cited in Alex Carmel, *Palästina-Chronik, 1853 bis 1882* (Ulm: Vaas Verlag, 1978), 235. In 1876, a report about the sale of 15 enslaved women from Africa was published in the same journal. See *Die Warte*, 29 November 1876, cited in Carmel, *Palästina-Chronik*, 232–33.

25 ʿUmar al-Ṣāliḥ al-Barghūthī, *al-Marāḥil* [The Stages] (Amman and Beirut: al-Muʾassasa al-ʿArabiyya li-l-Dirāsāt wa-l-Nashr, 2001), 43.

26 al-Barghūthī, *al-Marāḥil*, 60, 150.

leaders from *Bilad al-Sham* posing with black slaves until the mid-20th century and even Emir Faysal ibn Husayn, pretender to the throne of Syria, made use of this symbolism during the peace conference in Versailles in 1919, where he posed with his black slave (Figure 1).

Figure 1. Photograph of Emir Faysal ibn Husayn's Party at the Versailles Conference 1919. In front stands Emir Faysal. Second row (left to right): Rustum Haydar, Nuri al-Saʿid, Captain Pisani, T.E. Lawrence and Captain Hasan Khadri. Back row: Faysal's slave (name unknown). Source: Marist Special Collections, B&W glass plate 1265.26. Reproduction Courtesy of the Marist Archives & Special Collections, Marist College, Poughkeepsie, NY.

Observations from the town of Nablus can help us to hypothesize about the conditions in which the slave of a shaykhly household worked. In 1812, the Swiss traveler Burckhardt observed how a male slave of a Bedouin tribal shaykh was supported by a sort of profit-sharing in his master's enterprises:

> The Arabs of the Belka [Balqa] … bring here Kelly or soap-ashes … They are sold by the Arabs [i. e. the Bedouins] … but the purchaser is obliged to pay heavy duties upon them. The chief of the Arabs of El Adouan … exacts for himself five piasters from every camel load, two piasters for his writer, and two piasters for his slave next.[27]

27 On the historical context, see Beshara Doumani, *Rediscovering Palestine: Merchants and Peasants in Jabal Nablus, 1700–1900* (Berkeley: California University Press, 1995), 203–5.

The slaves of tribal shaykhs could also be of high practical relevance, as they stood outside the tribal order and were loyal only to their master, unfettered by the mutual obligations between tribesmen. For example, Mary Eliza Rogers (1828–1910), the sister of Edward Thomas Rogers (1831–1884), the British consul in Haifa in the years 1855 to 1859, reports that, in 1859, Ṣāliḥ ʿAbd al-Hādī, the head of the paramount shaykhly family in the town, entrusted a black slave with removing his sons to a safe place during a military conflict.[28]

In local Arabic usage, the term *ʿabd* (pl. *ʿabīd*), slave, came to mean explicitly "black slave" and was also used as a collective noun to designate communities of Trans-Saharan Africans. In the Arab Middle East, this terminology was alive even in the early 21st century."[29]

The Biblical "Curse of Ham," Gaza 1897

In 1897, Aḥmad Busaysū, a Muslim scholar from Gaza, published a treatise in manuscript form which he entitled *Kashf al-Niqāb* (The Lifting of the Veil) and which deals with tribal groups, urban elite families and notable scholars in and around his native city. The main theme of his tract is the relative honor of lineages. All the groups and individuals he portrays are ranked according to their nobility and particular merits, following the traditional pattern of combining lineage (*nasab*) and merit (*ḥasab*).

The discussion is preceded by an elaborate account of ancient genealogies, drawing on the Biblical table of nations (Genesis 10), with the aim of explaining the roots of present-day ethnicities in the Ottoman Middle East. In this context, Busaysu presents a widespread narration that roots the stereotype of blacks as slaves in Biblical history, going back to the "curse of Ham."[30] In an aetiological manner, the story explains how the children of Ham (*Awlād Ḥām*), i. e. black Africans, became slaves to the descendants of Shem (*Sām*) and Japheth (*Yāfith*)

28 Mary Eliza Rogers, *Domestic Life in Palestine* (London: Bell and Daldy, 1862), 389. See also Doumani, *Rediscovering Palestine*, 233–36.

29 See, for example, the reference to "a servant (*ʿabīd*) driver" in the narration of an event in rural Syria in 1979: Thorsten Schoel, "The Ḥsana's Revenge: Syrian Tribes and Politics in Their Shaykh's Story," *Nomadic Peoples* 15 (2011): 97. On slaves as a theme in Syrian Bedouin women's tales in the early 21st century, see Lidia Bettini, "Permanent Values in a Changing World: Bedouin Women's Tales from North-East Syria," in *Nomadic Societies in the Middle East and North Africa: Entering the 21st Century*, ed. Dawn Chatty (Leiden: Brill, 2006), 982; Ben Zion, "Old City's African Secret." A recent dictionary of Lebanese colloquial Arabic translates *ʿabd* as "esclave, …noir." Jinane Chaker Sultani and Jean-Perre Milelli, *Dictionnaire Français Libanais*, 2nd ed. (Beirut: Editions Milelli, 2010), 392.

30 See David Goldenberg, *The Curse of Ham: Race and Slavery in Early Judaism, Christianity and Islam* (Princeton, N.J.: Princeton University Press, 2005).

as a punishment for his sin of "seeing" his naked and drunken father Noah. Shem and Japheth are commonly considered the forefathers of the Arab and Turkish peoples, respectively. Busaysu presents the story with a commentary that is ascribed to an early Muslim authority, Wahb b. Munabbih (d. 728–29). The Biblical figure of Ham is referred to here as "Abū Kanʿān," "father of Canaan," in accordance with Genesis 9:18.[31]

> Nūḥ awoke from his drunkenness and knew what his son had done to him. And he said: "Cursed be Abū Kanʿān; a slave of slaves (*ʿabd ʿabīd*) shall he be to his brothers."… Wahab ibn Munabbih said that Ḥām ibn Nūḥ was a white man with a handsome face and appearance, and God Almighty changed his and his descendants' color because of his father's [i. e. Nūḥ's] appeal. He went off, followed by his son, … and they are the Sūdān.[32]

Seen from a global perspective, in 1897, Busaysu's religiously grounded pro-slavery position was certainly on the retreat. According to evidence presented by David Goldenberg, however, it closely resembles Protestant texts in the American South up to the mid-19th century.[33]

In Busaysu's eyes, slave descent clearly was dishonorable, as becomes clear from a curse he lays on one of his enemies, Shaykh Muḥammad Fākhira: "May he perish! He stems from the branch of the female slave (*raqīqa*) named Fakhira!"[34] The idea of the "mean" slave also had racist overtones. A concept of race formed part of Busaysu's worldview. Thus he states elsewhere in his tract: "God created Adam from the entire surface of the earth and his offspring came out accordingly: white, red [i. e. 'brown'] and black … and he distinguished between them regarding [their respective measure of] honor and meanness."[35] Thus it is not surprising to see the author elaborating that Shaykh Muhammad was "a black-faced man" and that his great-grandmother had been a black slave (*zanjiyya*).

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31 This, however, is an interpretation of the Biblical account, for Genesis 9:22 clearly states that it was Canaan who was cursed. Busaysu follows here the mainstream of Jewish, Christian and Muslim exegesis. See Goldenberg, *Curse of Ham*, chapter. 11, 157–67.

32 Aḥmad Sālim Busaysū, *Kashf al-niqāb fī bayān aḥwāl baʿd sukkān Ghazza wa-baʿḍ nawāḥīhā min al-aʿrāb* [Unveiling the Situation of Some Inhabitants of Gaza and of Some of the Bedouin Groups in Its Surroundings], Arabic autograph manuscript, dated 29 Rajab 1315 AH/24 December 1897. Gaza: Library of Wizārat al-Awqāf. fol. 6r. Among Busaysu's sources are: ʿAbdallāh ibn Muslim ibn Qutayba (d. 889), *Kitāb al-Maʾārif*, no editor (Cairo: al-Maṭbaʿa alʿĀmira, 1300/1883), 9; Muḥammad Amīn al-Baghdādī al-Suwaydī, *Sabāʾik al Dhahab fī Maʿrifat Qabāʾil al-ʿArab* [The Gold Standard on the Knowledge of Arab Tribes; 1878–9] (1296/1878–9), ed. Kāmil Muṣṭafā al-Hindāwī, 6th ed. (Beirut: Dār al-Kutub al-ʿIlmiyya, 2016), 30. For other Islamic traditions of similar content, see Goldenberg, *Curse of Ham*, 101–7. Busaysu's tract is subject of an ongoing study by Johann Buessow and Khaled Safi.

33 Goldenberg, *Curse of Ham*, 1.

34 Busaysu, *Kashf al-Niqab*, fol. 4r.

35 Busaysu, *Kashf al-Niqab.*, fol. 3v.

Racial Stereotypes as Part of Polemics, Damascus 1837

The anonymous Arab Orthodox chronicler from Damascus also evokes racial stereotypes in the context of political polemics. He describes how, in 1837, the Egyptians began to draft men from all religious communities in Damascus into their modern-style army, which was commonly known as *niẓām.* The horror of the event is personified in the person of a "black captain":

> Then the conscription of *niẓāmi* soldiers from all over the country began. … a black captain (*yüzbaşı*) with a horrible appearance (*la'īn al-manẓar*) came and instructed the soldiers to seize Muslims, Christians and Jews alike. … For the Christians this was indeed a black day (*nahār mithl al zift*).[36]

The "black captain" with his horrible (lit.: "cursed") appearance and the "black day" (lit: "a day [black] like tar") constitute a web of symbols that makes the Egyptian army officer look like the "curse of Ham" personified.

The Arabic texts cited so far can serve as evidence that the concept of slavery was widely used in a metaphorical way in public discourse in late Ottoman *Bilad al-Sham.* When concrete types of slavery are described, the focus is usually on black domestic slaves. In order to gain a broader picture of slavery and domestic work, we next turn to ethnographic accounts and reports in the region's early newspapers.

Travelogues, Memoirs and Ethnographic Accounts from the "Holy Land"

Travelogues and academic ethnographic accounts can provide valuable information on the basic conditions under which domestic workers lived. Travelogues and the "Holy Land" literature in Western languages generally do not pay much attention to domestic workers and at best present anecdotal information on the servants or security guards they happened to meet, or represent them in the form of drawn or photographic scenes. Naturally, the focus is mostly on servants or slaves who were visible on the streets, especially those with dark skin or other easily identifiable markers of ethnic identity. A typical case in point is the book-length travelogue on Jerusalem by the noted early-20th-century Swedish travel writer Sven Hedin, who paid great attention to the city's social diversity. In his book, Hedin included a recollection of his meeting with two African-origin Jerusalemites in the form of hand-drawn illustrations with no more information

36 Buessow and Safi, *Damascus Affairs*, 101 (Arabic text ٧٠).

than captions stating their geographic and ethnic origin, their age and, only in one case, their occupation.[37]

It is often female authors who had a more sustained interest in the lives of domestics and were able to gain deeper insight. An outstanding source of information is the memoirs of Mary Rogers, who accompanied her brother, Edward Rogers, the British consul in Haifa.[38] Rogers's account stands out for its detailed descriptions of households, including both their female and male members, and for the lively personal interest the author took in the fates of domestic workers. A rare example of a contemporary Arab author writing on domestic workers is the Jerusalemite Wāṣif al-Jawhariyya, who tells a number of anecdotes concerning a Maghrebi watchman and an Albanian concubine, who were both living on a rural estate near Jerusalem.[39]

The Swedish-speaking Finnish social anthropologist Hilma Granqvist (1890–1972) conducted extensive field studies in Mandate Palestine during the 1920s and 1930s. For most of the time, she was based in the village of Arṭās near Bethlehem. By recording the life-story of a village guard who protected the motor pump at the spring of Artas during the late 1920s, she sketches out the family history of a slave. This guard was, Granqvist writes, "a member of the one black (*ʿabd*) family in the village." A photograph she took during her fieldwork helps to bring this person closer to us, including by the style and quality of his dress and the self-confident manner in which he posed for the photographer.[40] He was a descendant of a slave bought from "American settlers" during the 19th century by a member of the prominent Shahīn family. "Although the family was part of the community and attached to the Shahīn clan of their ancestor's master, the members never intermarried with the villagers."[41] Several of Granqvist's observations are of particular salience for the present study. The village never had more than one enslaved servant during the late Ottoman period. This slave was able to establish a family of his own, most probably with a former female slave, and even after the end of slavery, he remained attached to his former master's family. He and his family were considered part of the village community in most

37 Sven Hedin, *Jerusalem* (Leipzig: F.A. Brockhaus, 1918), 37, 227. We would like to thank Stefan Reichmuth for bringing this work to our attention.

38 Rogers, *Domestic Life*.

39 Wāṣif al-Jawhariyya, *Al-Quds al-ʿUthmāniyya fī l-mudhakkirāt al-Jawhariyya* (Ottoman Jerusalem in the Jawhariyya Memoirs), ed. Salim Tamari and Issam Nassar, vol. 1 (Jerusalem: Institute for Palestine Studies, 2003), 29–31.

40 A security guard in the village of Artas, late 1920s. Photograph by Hilma Granqvist. Source: Karen Seger, ed., *Portrait of a Palestinian Village: The Photographs of Hilma Granqvist* (London: Third World Centre for Research and Publishing, 1980), 37.

41 Karen Seger, ed., *Portrait of a Palestinian Village: The Photographs of Hilma Granqvist* (London: Third World Centre for Research and Publishing, 1981), 64, 91.

aspects of life. However, there was apparently a strong social norm that prevented intermarriage between the so-called *ʿAbid* people and the rest of the villagers.

Varieties of Unfree or Asymmetrical Labor Relations

A danger, when discussing the topic of slavery and domestic work, is to focus too much on narrowly defined social categories, especially the dichotomy of slave versus "free" person—as did Islamic law, as well as most proponents of the international abolition movement in the 19th century. Especially in the Islamicate world, a legal slave status was not always tantamount to a lack of agency and power—military and administrative elite slaves, or elites with slave background, are only the most striking examples. Other forms of labor might have entailed a greater degree of dependency and a more precarious existence. In many cases, dependency as a cross-cutting perspective can help us to see the entire range of more or less asymmetrical work arrangements and to ignore "grey zones" beyond slavery and freedom that might be most relevant for a given society.[42]

For late Ottoman Palestine, a relative abundance of historical documents should make it possible to reconstruct labor relations in greater detail than for most regions of the Middle East. However, we still lack detailed historical studies on this question. In the framework of this article, we can only present selected examples. One variety of decidedly unfree work was corvée services that local government agencies levied upon specific population groups in order to maintain public infrastructure. Such measures were sometimes inflicted as collective punishment on communities that were reputed to be rebellious. Thus, in 1821, the Greek Orthodox community of Jerusalem was forced to provide men for corvée work in revenge for the Greek rebellion.[43] Less noted but of much larger proportions was the routine draft of village communities for the construction of overland roads. For example, in 1872, a Hebrew newspaper from Jerusalem reports "thousands" of locally recruited corvée workers employed in building a new carriage road between Jerusalem and Nablus.[44]

A less formalized kind of asymmetrical labor arrangement was the hiring of "foreigners" as security guards. "Foreigners" in this case refers to people un-

42 See the objectives of the Bonn Center of Dependency and Slavery Studies, founded in 2019 https://www.dependency.uni-bonn.de/en/program/about (accessed on 16 August 2019).

43 ʿAdel Mannāʿ, *Liwāʾ al-Quds fī awāsiṭ al-ʿahd al-ʿuthmānī: Al-idāra wa-l-mujtamaʿ, mundhu awāsiṭ al-qarn al-thāmin ʿashar ḥattā ḥamlat Muḥammad ʿAlī Bāshā sanat 1831* [The District of Jerusalem during the Middle of the Ottoman Period: Administration and Society from the Mid-Eighteenth Century until the Campaign of Muhammad ʿAlī Pasha in 1831] (Beirut: Institute for Palestine Studies, 2008), 33–34.

44 *Ha-Ḥavatselet*, 11 November 1872, 4.

related to local communities, who were less prone to organize themselves. As we learn from Arabic press reports, local landowners in the cities of Jerusalem and Jaffa employed former black slaves (*ʿAbid*), as well as Maghrebis (*Maghāriba*) and Afghans (*Afghāniyūn*), who had arrived in Palestine as migrant workers or as pilgrims en route to and from the holy cities of the Hijaz, and were employed as watchmen (Ar. *nāwāṭīr*) for farms, plantations and houses. In some places they also oversaw the collection of the tithe (*ʿushr*). In 1911, the German consul Walter Rössler estimated that 1,000–1,500 armed guards were employed in Jaffa alone.[45]

In the countryside, especially on the coastal plains, where new land was ploughed to grow grain from the mid-19th century, landless agricultural workers, often of Egyptian origin, were employed on short-term contracts.[46] These were often so-called *murābaʿa* contracts under which laborers worked in return for one-quarter of the produce.[47]

Many more examples could be added. For the following discussion, it is most important to note that slavery was only one of many varieties of unfree or asymmetrical labor arrangements and that it was a common strategy of state authorities and private employers to exploit the greater vulnerability of specific social or ethnic categories—be it peasants or migrants—to acquire cheap labor. In some cases, especially in that of the *ʿAbid* community—people with African heritage associated with former slave status—ethnicity and dependent status became synonymous. To some extent, this also happened with the *Maghariba*, who were associated with the work as security guards and with gang crime.[48] The life courses of people with slave or unfree work backgrounds could be conditioned by this identity for a considerable period of time. On the other hand, common social background, often combined with shared ethnicity, could serve to develop a communal identity and thereby to increase one's agency.

45 On reports in the Arabic newspaper *Filastīn*, see Johann Buessow, *Hamidian Palestine: Politics and Society in the District of Jerusalem 1872–1908* (Leiden: Brill, 2011), 236–38, 373–74; Evelin Dierauff, "Negotiating Ethno-Confessional Relations in Late Ottoman Palestine: Debates in the Arab Palestinian Newspaper Filastin (1911–1914)" (PhD diss., University of Tübingen, 2018), 172–80. See also Muḥammad Salīm al-Tarāwina [Tarawneh], *Qadāʾ Yāfā fī l-ʿahd al-ʿuthmānī: Dirāsa idāriyya iqtiṣādiyya ijtimāʿiyya, 1281–1333 h/186–1914 m* (The Subdistrict of Jaffa during the Ottoman Period: Administrative, Economic and Social Studies, 1281–1333AH/1864–1914CE) (Amman: Ministry of Culture, 2000), 476–77; Barch, German Consulate, R157 III F, 25, Rössler to German Consulate, Jerusalem, 28 July 1909.

46 Donna Robinson Divine, *Politics and Society in Late Ottoman Palestine: The Arab Struggle for Survival and Power* (Boulder: Westview Press, 1994), 130–31. On contracts and working conditions of Palestinian agricultural workers, see also Gustaf Dalman, *Arbeit und Sitte in Palästina,* 7 vols (Gütersloh: C. Bertelsmann, 1928–1941), vol. 2, 147–53.

47 Aharon Layish, *Legal Documents from the Judean Desert: The Impact of the Shariʿa on Bedouin Customary Law* (Leiden: Brill, 2011), 29.

48 Dierauff, "Negotiating," 172–80.

Perhaps the most visible testimony to these processes was separate settlements by Egyptian workers and *ʿAbid*, which we find around Jaffa and for which a special term was used, *sakna*, in distinction to the regular term for a village, *qariya*. In Jaffa, the community of the *ʿAbid* even had the status of an officially recognized body, with a headman (*muhtar*) to act as an interface with the Ottoman government authorities.[49] These issues become all the more relevant in contexts when formal slavery had ceased to exist. The corporate character of Jaffa's *ʿAbid* testifies to the fact that Africans with a slave background did not simply merge into local society after the demise of slavery but formed communities in order to cultivate social networks and defend common interests.[50]

Abolition in Late Ottoman Palestine

With regard to Egypt, it is well-documented that, despite international abolition campaigns in the 19th century, the import of slaves persisted until the 1870s and even saw a last upsurge in the context of the cotton boom of the 1860s.[51] The major change during the middle of the century was that "white" slaves from the eastern shores of the Black Sea became rare, while increasing numbers of "black" slaves were imported from sub-Saharan Africa. It is also evident that, from about 1880 onwards, the slave population diminished rather rapidly and that in the 1890s the institution was reduced to a niche phenomenon.[52]

Gabriel Baer, in his pioneering article of 1967, names three sets of factors that contributed to ending the institution of slavery in Egypt. These may be summarized as political, economic, and cultural factors.[53] This framework of explanation is still largely accepted, including for the wider eastern Mediterranean, although there is some debate about the relative evaluation of these factors, particularly the economic factors.

49 *Die Warte*, 16 March 1876, cited in Carmel, *Palästina-Chronik*, 210; Ruth Kark, *Jaffa: A City in Evolution, 1799–1917* (Jerusalem: Yad Ben-Zvi, 1990), 158–60. On the *ʿAbid* community of late Ottoman Jaffa, see al-Tarāwina [Tarawneh], *Qadāʾ Yāfā*, 476–77. For conceptual thoughts on corporations and "corporatism," see Johann Buessow and Astrid Meier, "Ottoman Corporatism, Eighteenth to Twentieth Centuries: Beyond the State-Society Paradigm in Middle Eastern History," in *Ways of Knowing Muslim Cultures and Societies: Studies in Honour of Gudrun Krämer*, ed. Bettina Gräf et al. (Leiden: Brill, 2018), 81–110.

50 For other examples of communities and cultural practices founded on former slave status, see Erdem, *Slavery*, 174–76; Toledano, *As If Silent*, 204–54.

51 Cuno, "African Slaves," 79.

52 Baer, "Slavery," 439.

53 Baer, "Slavery," 441.

Baer argued that, in late-19th-century Egypt, the development of a free labor market helped dismantle the institution of slavery.[54] Terence Walz, in his study on slaves in Cairo around 1850, based on the census of 1848, shows that slaves often worked side by side with free Egyptian servants in the same household, which suggests that a free labor market existed and was not automatically detrimental to slavery.[55] Undebated is the importance of political factors, especially the Anglo-Egyptian convention of 1877, the Mahdist revolution of 1881 and the subsequent British conquest of Sudan.[56] With regard to cultural factors, there seems to be an agreement among scholars in the field that a change of attitudes towards slavery can only be found from the 1880s onwards and initially arose only among a small section of the educated elite.

So far, we do not know much about the implementation and impact of the abolition measures in Palestine, but our sources point to a swift decline in the local slave trade during the 1870s. The latest report on the sale of slaves that we have been able to locate so far is from the year 1876 and comes again from the German Templer newspaper *Die Warte*. In November of that year, the newspaper reported that a ship had arrived in the port of Haifa, carrying 15 black female slaves.[57]

In Mary Rogers's household, either elderly women from her neighborhood or young girls helped her with the domestic work, and she herself also trained a young girl to become an "English style" servant. However, if we consider her observation on the many slaves she came across as reliable, many, if not most, domestics in the middle of the 19th century had a slave background. Toledano, in his article on slaves and households, argues that Ottoman elite households at the end of this century still preferred slaves to free domestics, for the simple reason that slaves were totally absorbed in the new household and bound to their masters financially and socially; for the household's success, loyalty between the household members had to be ensured by all means and this could be achieved better with a slave-master-relationship than in an ordinary labor relationship between employer and employee.[58]

If we consider that slaves still played a crucial role in elite households, one should expect to find these results on the importance of slaves in the Ottoman Empire mirrored in the Ottoman administrative documents.

54 Baer, "Slavery,"438–39.
55 Walz and Cuno, "Introduction," in *Race and Slavery*, 7.
56 Baer, "Slavery," 439.
57 *Die Warte*, 29 November 1876, 232–33.
58 Toledano, "Empire of Many Households," 92, 94.

Domestics in Palestine at the Turn of the 20th Century: The Evidence of Ottoman Census Data, 1877–1914

Thanks to the Ottoman census records of the 1880s and of 1905, to which digital access has been possible since 2016, we can get a glimpse into the life worlds of slaves and free servants in a region of the Ottoman Empire that had not previously been examined with regard to this topic.[59] This source gives us an unusually broad view of slaveholding and servitude in cities and villages in Palestine at the turn of the 20th century. It also provides information about the life courses of slaves and their descendants.[60]

The Ottoman census of 1905 is a particularly valuable source for social history since it represents late Ottoman Palestine's social diversity in an unprecedented level of detail—with the notable exception of nomadic groups, who were not counted. Ottoman population counts up to the 1880s recorded households (*hanes*), with detailed information on the household head, some information on the male household members, but only summary information on women and children. Following new Ottoman census regulations of 1902, all household members—including women, children and domestic workers—were registered with many details (although still fewer for women than for men). The census form includes name, parents' names, address, and place and year of birth for all inhabitants. For the male population only, it also includes military status, health status, physical attributes and occupation.[61] The only case in which the occupation of women and girls is mentioned is when they worked in the service sector, as slaves or free domestics.

The entries in the census register (*sicil-i nüfus*) were of high relevance for the recorded persons. To name but a few uses of the data, an abbreviated version of individual census entries was used when the Ottoman authorities issued identity cards (*mürur tezkeresi* and *sicil-i-nüfus tezkeresi*), and the records of male citizens were used for military conscription.[62] We must therefore assume that the persons registered had a vital interest in being identified in the way that best suited their interests.

59 For a study of Africans in Cairo as shown in the census of 1848, see Walz, "Sudanese."

60 For Walz's observations on the census as a "prism" through which to study the agency of slaves, see Walz, "Sudanese," 67.

61 For introductions to this source, see Michelle Campos, "Placing Jerusalemites in the History of Jerusalem: The Ottoman Census (sicil-i nüfūs) as a Historical Source," in *Ordinary Jerusalem 1840–1940: Opening New Archives, Reopening a Global City*, ed., Angelos Dalachanis and Vincent Lemire (Leiden: Brill, 2018), 15–28; Buessow, *Hamidian Palestine*, 19–26.

62 These data were compiled in conscription registers. See the short description of a sample in Buessow, *Hamidian Palestine*, 494–95 (which, unfortunately, contains a misreading of the Ottoman Turkish term *esnān*, "draft age").

Terminology is often tricky to interpret with respect to the census of 1905, as the officials employed in census-taking used a wide variety of synonymous terms in both Ottoman Turkish and Arabic, especially when they listed occupations. The first thing to be noted here is that terms one would immediately link to a slave status, such as *ʿabd* or *raqīq*, the Arabic legal terms for slaves used in Islamic law, were avoided altogether. There are only very few mentions of traditional "slave terms" such as *cariye* (from Ar. *jariya*, literally "female servant," "concubine") or ethnic markers such as *zenci* ("black," referring to an East African origin)[63] that hint at an enslaved servant. Within our sample of 77 domestics, only eight persons are identified as *zenci* or *zenciye*, and six women are identified as *cariye*. In one case, both the terms *hadime* and *cariye* are used for the same person, which makes it even more difficult to determine the meaning of these terms in this context.

In the census of 1848 for Cairo, we do find the term *ʿabd* for a male slave and *jariya* for a female one.[64] Cuno, who analyzed the censuses of 1848 and 1868 for Egyptian villages, also found the term *raqiq* to designate slaves.[65] In the census books from Palestine, more than 50 years later, instead of these markers, the most common terms used for domestic workers are *hizmetçi* and *hadim* (Ar. *khādim*) —generic terms that define neither their legal status nor their exact tasks. These terms are used for both free servants and domestics who had been enslaved at young age. Walz in his study on slaves in Cairo found specific terms used for slaves that hint at their duties in the household, e. g. *zawjat jariya* ("a slave wife") which designated a female slave performing conjugal duties.[66]

In the Palestinian census, another marker of domestics—both free and unfree, in legal terms—is "decorative" female names such as Feryāl ("the one with the beautiful neck," "good-looking"), Qadam Khayr ("the auspicious step"), Nergis ("narcissus"), Zaʿfarān ("saffron"), or Zahra ("flower"). These names were probably given to female domestics upon entering the household. Such renaming

63 In the Cairo census for 1848, the term used was *aswad* (fem. *sawda*), literally the term for the color black. See Walz, "Sudanese," 52. *Zenci* (Ar. *zanjī*) was an umbrella term for enslaved Africans (coming from Arabic *Zanj*, a geographical term for the east African coast, roughly south of Somalia). Zanjis were used as slaves from the 9th century onwards in the Arab world. See Kurt Franz, "Slavery in Islam: Legal Norms and Social Practice," in *Slavery and the Slave Trade in the Eastern Mediterranean (1000–1500)*, ed. Reuven Amitai and Christoph Cluse (Turnhout: Brepols: 2017), 102–10.

64 Walz, "Sudanese," 52. Walz, however, notes that terms could vary from district to district and that twenty years later the ethnic identity marker *sūdānī*/*sūdāniyya* was used as a term for slaves instead of *ʿabd*, *raqiq* and *jariya*. This development could probably be observed throughout Egypt. See Cuno, "African Slaves," 84–87.

65 Cuno, "African Slaves," 84. *Raqiq* was used for one slave in the census of 1848 and twenty years later the same slave was referred to as *ṭābiʿuh sūdānī*, "his follower/subordinate, a Sudanese."

66 Cuno, "African Slaves," 56.

was intended to destroy the female servant's old identity and stress her belonging to the master. It was usual in the case of a slave, but also could also be applied to a *besleme*, a freeborn girl who was sent into the new household by her parents and who, in return for her domestic duties, was expected to receive a good education and be married off into a family of good reputation.[67] Similarly, male slaves or servants often bore the name ʿAbdallāh ("servant of God"), Faraj ("joy"), or Mabrūk ("blessed," "bless you"). (See Appendix, Figure 3 for examples.)

When legal or traditional terms for slave are absent, how do we know that specific persons registered in the modern Ottoman census had been enslaved? How can we discern free and unfree domestics? For this article, we have used a methodology that derives additional information from birth places and fathers' names. Classical regions of enslavement such as Circassia (i. e. the region near the north-eastern Black Sea coast, Ott. Turk. *Çerkes*), and East African regions such as Sudan (Ar. *Sūdān*), Ethiopia (Abyssinia, Ott. Turk. *Habeş*), Darfur (Ar. *Dār Fūr*),[68] or Bornu (Ar. *Burnū*), hint at a slave background. However, since there were always people from Circassia, and even more from Africa, who came to the Ottoman Empire as pilgrims or as migrant workers,[69] one cannot automatically assume that all Africans or Circassians in the Ottoman Empire were slaves or had been enslaved earlier in their lives.[70] Here the father's name can help. In the census as well as in other official documents such as court records, it was customary to use generic patronyms for a person of slave descent: *ibn* or *bint ʿAbdallah* ("son of ʿAbdallah") or, to a lesser extent, *ibn* or *bint Ādam* ("son of Adam"). There might be several reasons for this, but the most important might be to use this name to mark slave status and a break in the relationship between the slave and his or her family. Except for place of birth, the slave's former identity was erased in order to facilitate integration into the master's household. In most cases, the mother's name was not mentioned in the census at all. If a mother's name was indicated, generic names were used—similar to those of the fathers, but more varied and colorful. In our sample we find, for instance, Ḥawwā (Ar.,

67 Toledano, *Slavery and Abolition*, 10. The literal meaning of the verb *beslemek* is "to feed," "to support." The Ottoman Turkish dictionary of James Redhouse (1890) defines *besleme* as follows: "A girl taken into one's family and maintained out of charity; also, a maid servant." James Redhouse, *Turkish and English Lexicon*, 2nd ed. (Istanbul: Printed for the American Mission by A.H. Boyajian, 1890).

68 For the geographical terms used in the Cairo census, see Walz, "Sudanese," 50–55.

69 A case in point is the Takrūri community in Jerusalem. See below, 399, 408.

70 In Cairo, for example, there was a huge community of so-called Barābira, mostly men from the present-day Nubian Upper Nile valley. They worked in Cairo in the security business as watchmen and doorkeepers, and could be hired as servants, but they were also known to brew beer (*būẓa*). There was also a large Barabira trading network: Egyptian textiles and goods were sold in Sudan for high prices. Barabira traders also owned slaves. The Barabira commercial network was called *jallāba*, a term which was also used for slave-traders. See Walz, "Sudanese," 51; Baer, "Slavery," 427–28.

Eve), Marjāna (Ar., "pearl," or "coral"), and Ṣaʿīda (Ar., "lucky"). The same names were also used for the female slaves and servants themselves whom we find listed in the Palestinian households. The most common name of male domestics was Faraj ("joy").[71] (For examples, see Appendix, Figure 3.) It seems that enslaved people from Africa or Circassia were not allowed to use their parents' original names in official documents. Another indicator for slave or servant status is the absence of family names that were common in the local Arab population.

We also find a consistent pattern regarding the entry of birthplaces. Census officials usually noted the name of the village, city, and sometimes even the urban neighborhood in which a person was born. When it came to persons bearing stereotypical slave names, only regions of origin were indicated such as Sudan, Abyssinia, or Circassia. Therewith, apparently, the census officials endorsed a common practice of stripping slaves of all markers of *nasab*, or origin, which in the Arabic-speaking societies of the Eastern Mediterranean were fundamental to a person's identity and "honor." Social anthropologist Frank Stewart, drawing on varied European source texts and on fieldwork among Bedouin groups, defines honor as "a right, basically a right to respect."[72] This right was denied to slaves. Instead, the slave was reduced to a generic identity with a stereotypical, sometimes "decorative," name and a certain regional background. When children of enslaved parents were born in the Ottoman domains, the census officials entered their place of birth as they did for the rest of the population. Their parents' names (or at least the name of one parent) nevertheless quite clearly betrayed their origin. In such cases, it is mostly impossible to determine whether these persons had slave status themselves, and we therefore refer to their having a "slave background."

Taking these indicators together, we arrive at classifying the persons in our sample into four categories (see Appendix, Figure 3). The first category consists of persons who were slaves or who had, in all likelihood, once been enslaved. The second category consists of persons with a slave background. The third category is made up of domestic workers without any indication of slave background. Unclear cases are in category four. After devising a method of discerning the legal and social backgrounds of domestic workers in the census with a reasonable measure of certainty, we can proceed to make some general statements regarding the distribution and social characteristics of domestics in our sample. The following discussion is based on samples from three locations in Jerusalem (the

71 In the census data of 1848 and 1868 for Egyptian villages, Cuno frequently found the slave names Saʿīd ("lucky") and Faraj ("joy") for male slaves and Fāṭima (the name of the Prophet Muhammad's daughter) for female slaves. Cuno, "African Slaves," 85. For the naming of slaves, see also Zilfi, *Women and Slavery*, 156–58; Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey*, OSML 4, (Berlin, EB-Verlag, 2017), 22–23.

72 Frank H. Stewart, *Honor* (Chicago, Ill.: University of Chicago Press, 1994).

Government House,[73] and the two neighborhoods of Al-Wād[74] and Shaykh Jarrāḥ)[75] and on all available census books for the city of Gaza[76] and Dayr Ghassāna, a village to the north-west of Jerusalem.[77]

First of all, the number of domestics registered is low. According to Toledano, some 300,000 Africans came into the Ottoman Empire as slaves in the last third of the 19th century, an average of 11,000 every year.[78] In our sample of census books from various locations in the Ottoman District of Jerusalem, which contain entries for some 25,000 persons, only 77 individuals are registered as domestics, including slaves, free domestic workers, and, in one case, a released slave (*maʿtūq*).[79] This makes for a share of roughly 0.3% within the total population. This fits the estimate made by Walz and Cuno that far less than 1% of the population of the Ottoman provinces had been slaves, except in Egypt, where slaves made up about 1%.[80] The second interesting finding is that there were more males occupied in domestic work than females. Probably, this was due to the hiring of many men as servants or security guards. Among those domestics who had come to Palestine as slaves or who had a slave background, the majority were women from Africa—in line with Toledano's observation that women from Africa made up the vast majority slaves in the late Ottoman Empire.[81]

The conclusion we may draw from this is that, in late-19th-century Palestine, typical women's occupations such as nanny, cook or housekeeper were less in demand than typical male occupations such as security guard and various types of manual labor. By taking a closer look on the distribution of domestics, we can detect additional differentiations.

73 ISA, *Nüfus*, Reg. 16.

74 ISA, *Nüfus*, Reg. 22.

75 ISA, *Nüfus*, Reg. 34. For the relevant census registers, see Jonathan Pagis, *Mifqede ha-okhluṣin be-Erets Yisraʾel, 1875–1918* [Population Counts in Erets Yisrael, 1875–1918] (Jerusalem: Israel State Archives, 1997), 218–19.

76 ISA, *Nüfus*, Regs. 242, 244, 249, 252, 253, 260, 261, 265, 266, 267, 268.

77 In the case of Dayr Ghassana, we used the census register of 1876, since the 1905 census is not available.

78 Ehud R. Toledano, *The Ottoman Slave Trade and Its Suppression 1840–1890* (Princeton: Princeton University Press, 1983), 90.

79 *Maʿtuq Zenci* Beşir, "the released slave Beşir," in ISA, *Nüfus*, Reg. 16: 4. There might be an estimated number of unknown cases, however, especially free female servants living in other households or Bedouin women, who were sometimes engaged as wet nurses by wealthy families. For Bedouin living outside the settlements, we do not have census dates at all. It is known, however, that Bedouin possessed slaves (see above, 379–80).

80 Walz and Cuno, "Introduction," in *Race and Slavery*, 2. Unfortunately, Walz and Cuno do not mention which sources they rely on in making this estimate.

81 Toledano, *Slavery and Abolition*, 12–13; Toledano, "Empire of Many Households," 91. Walz in his study on slaves in Cairo based on the census of 1848 was also able to count more female than male workers. See Walz and Cuno, "Introduction," in *Race and Slavery*, 6.

The Al-Wad Neighborhood (1905): Servants in an Inner-City Neighborhood

Al-Wad was a neighborhood in the old town center of Jerusalem, close to the Haram al-Sharif. It was a crowded and busy place, which included some of Jerusalem's main market streets. The census of 1905 lists 294 Muslim households for this neighborhood. Multiplied by the average household size of 6.6 that has been identified for the adjacent Saʿdiyya neighborhood,[82] this would amount to about 2,000 Muslim inhabitants.[83] In the census register, we find five domestics, three males and two females.

One female domestic, Qadam Khayr,[84] was identified as *cariye*, the old term for concubine, which, as we have seen, had become quite uncommon by the end of the 19th century. She was in her mid-fifties at the time of registration (born 1270/1853–54).[85] She had probably entered the Ottoman Empire before the slave trade abolition measures were implemented in the sultan's domains. It is not only the term *cariye* that marks her as a slave, but also her home country and the generic patronyms of her parents: Qadam Khayr was born in the Darfur region of west Sudan, her father's name was registered as ʿAbdallah and her mother's name as Marjāna. What the term *cariye* stood for in late 19th-century Jerusalem, and whether it also denoted concubinage, is uncertain. The nine-person household in which she worked consisted of the household head, the teacher Yusuf Efendi Budayri, his wife, their three children and other relatives. Qadam Khayr might have been serving all of them.

The other female domestic registered in Al-Wad, Baḥr al-Zayn ("Sea of Beauty"), lived in the household of her employer, ʿUthmān Zakī Efendi al-Khālidī, together with her son. According to the register, she was in her early forties at the time of registration (born in 1862–63, 1278 according to the Rumi calendar). Her birthplace is given as Sudan, her parents are identified by the stereotypical names ʿAbdallah and Marjana, and her son's father's name, about whose whereabouts no information is provided, is indicated as "Sayyid ʿAbdallah al-Zanji" ("the East African"). All these are typical slave names. It is interesting that the father's title, "sayyid," was usually reserved for persons of high social esteem. Sayyid ʿAbdallah might have been a respected person of East African origin. The most probable interpretation of the scanty biographical information about Bahr al-Zayn that we have to hand would be that she had been enslaved, then released, started a family with another immigrant from East Africa, perhaps a pilgrim, and was now working as domestic in the household of an Arab Muslim

82 Buessow, *Hamidian Palestine*, 140.

83 The number is rounded up, taking into account that the numbers reported in the census tend to be too low.

84 See Appendix, Figure 3, for references to this and the other cases cited below.

85 The year of birth is most likely, as often for slaves and women in the registers, an estimate.

Jerusalemite. Another possibility would be that her master allowed her to marry while she was still a slave. In any case, we can observe some stages in the life of a female migrant who probably intended to carve out a life of her own but so far had remained dependent on her master.

The life courses of the three *male* domestics registered in Al-Wad are more varied. One seems to have been strongly dependent while the other two suggest more success, or luck, in achieving independence and a certain degree of integration into local society. The first, Faraj, who was born in 1260 in Darfur, lived with his (about) ten-year-old daughter, Zalqā in the household of Husayn Efendi Nusayba, a merchant and member of the well-known Nusayba family.[86] The mother of the child, Zaʿfaran, had passed away. Her name indicates that she had also been a slave. Faraj was not only a servant, but also headman (*muhtar*) of the "Zenciye/Zanjiyya" community, as his entry in the census reveals (see Appendix, Figure 3). Obviously, this community consisted of Africans with slave status or a slave background.[87] The fact that it had a headman of its own to act as interface with the government makes it a parallel to the case of the *ʿAbid* in Jaffa, mentioned above.[88]

The other two servants of African origin were household heads themselves. They worked as domestic servants, but did not live in their employer's home. Faraj Nashāshībī was a former slave from Sudan (the father's name again indicated as ʿAbdallah) and lived alone.[89] His age was estimated at about 75, with the birthdate given as 1831. There are no hints at any current occupation. His high age makes it quite more possible that he was no longer working, but we may wonder who provided for an old ex-slave without relatives; it would probably have been his former master's household. A clue to this is that he is registered with a family name: Nashashibi, which may indicate his former employers, a household of the well-known Nashashibi family.[90] When on good terms, former slaves were often supported by their former households after being released (see also below).

86 On the Nusaybas, who are famous as holders of the keys of the Church of the Holy Sepulcher, see Muhammad Muslih, *The Origins of Palestinian Nationalism* (New York: Columbia University Press, 1988), 26–27.

87 It is very likely to be an institutional forerunner of the 350-strong African Muslim (*Afāriqa*) community in present-day Jerusalem, which is housed in two Mamluk-era buildings, *Ribāṭ ʿAlāʾ al-Dīn al-Baṣīr* and *Ribāṭ al-Manṣūrī*, near Al-Wād Street. See Ben Zion, "The Old City's African Secret;" Seitz, "Pilgrimage."

88 On the *ʿAbid* community of late Ottoman Jaffa, see al-Tarāwina, *Qadāʾ Yāfā*, 476–77.

89 See his entry in ISA, *Nüfus*, Reg. 22: 89.

90 On this family, see Nasser Eddin Nashashibi, *Jerusalem's Other Voice: Ragheb Nashashibi and Moderation in Palestinian Politics, 1920–1948* (Exeter: Ithaca Press, 1990), 1–21; ʿAdel Mannaʿ, *Aʿlām Filasṭīn fī awākhir al-ʿahd al-ʿuthmānī (1800–1917)* [The Notables of Palestine during the Late Ottoman Period], 2nd ed. (Beirut: Institute for Palestine Studies, 1995), 354–57; Buessow, *Hamidian Palestine*, 354–56, 383–84, 73–74, and passim.

The other domestic is ʿAlī al-Miṣrī.[91] He is the only domestic registered in Al-Wad who had no roots in sub-Saharan Africa. He was born in Jerusalem in 1877, though his family name, "the Egyptian," suggests that some of his ancestors were from Egypt. ʿAli was head of a household consisting of his mother, brother and sister. He was apparently a free man who worked as a servant. His parents probably also had no slave background: His mother was born in Jerusalem, as was his father Muhammad, who had passed away some years before.[92]

In conclusion, the five domestic workers we can trace in Al-Wad show a wide variety of social situations. Two were women who most probably worked as household helps. The male servants typically were needed as packers or porters in the market or as security guards. Two of the men lived in households of their own. One of them seems to have been a former slave, the other was an ordinary employee who offered his services as a domestic worker. Regarding the question of agency, the domestics who lived with their children in their master's household probably were the most dependent, whereas ʿAli al-Misri, the freeborn domestic from Jerusalem, was, in all probability, the most independent. The two oldest of the five, Qadam Khayr, the *cariye*, and Faraj Nashashibi with his own household, were likely to have been dependent on their masters, or former masters. A special case was that of Faraj, the headman of the *Zenciye* community. On the one hand, he was to some degree dependent on Husayn Nusayba, the master of the house in which he lived. On the other, in his capacity as a *muhtar*, he was a sort of second-rank notable himself with some degree of influence in Jerusalem's African community. This probably made him an asset to his landlord and may have provided him with some measure of agency and independence.

The *Saray* of Jerusalem (1877–89): Servants of the Ottoman Ruling Elite

A register of the Ottoman officials working in Jerusalem's Government House (*saray*) during the governorship of Mehmed Raʾuf Paşa (1877–89) provides us with unique insight into the households of high-ranking Ottoman officials serving in Jerusalem.[93] The officials and their wives hailed from diverse regions of

91 ISA, *Nüfus*, Reg. 22: 89.

92 Al-Misri was a fairly common surname (*laqab*) in late Ottoman Palestine. It is quite possible that the ancestors of these families had come from Egypt during the period of Muhammad ʿAli's rule over Palestine (1831–40).

93 ISA, *Nüfus*, Reg. 16. Entitled *Hükumet* (government), the register forms part of a series of "Foreigner Registers" (sg. *yabancı defteri*). It purports to be a record of all officials working in the Jerusalem *saray* during the period 1293–1318/1877–1900, including the members of their households. In fact, it was not updated regularly after the end of Mehmed Raʾuf Paşa's term in office. The information contained in the "Foreigner Register" is more restricted than that in the "Basic Register" (*esas defteri*) from which we derive most of our sample. For example,

the empire. Most came from the imperial capital Istanbul, from the Arab provinces, or from Anatolia. In this register, we find 30 domestics among a total of 248 registered inhabitants. Seventeen of the registered domestics are male, and 13 female. It is interesting to see that these 30 domestics were allocated to only a handful out of the 40 households listed, which means that most Ottoman officials had neither slaves nor free servants living with them. If they had domestic staff, they were probably free employees who came only for the day.

Some of the few households who kept servants had more than one servant. For example, the household of the judge Yunus Vehbi Efendi, born in Rize on the Black Sea coast, consisted of seven family members and five servants: one *besleme*, Nergis from the same town as her master, and three with a slave background, hailing from Sudan and Circassia. The fifth servant's origin is not entirely clear: Ibrahim, from Boyabad (Kastamonu), father's name Mehmed.

The household of Mehmed Şerif Raʾuf Paşa, governor of Jerusalem, consisted of nine members, including three servants. It appears that two of them had been enslaved once in their lifetime: a woman, Feryal, from Circassia, and a man, Ramzī, from Sudan; the father's names given for each of them is the stereotypical "ʿAbdallah." The background of the third person is unclear. His or her name reads like "Falaquz." The date of birth given is 1877, which is also the date of his or her arrival in Jerusalem, as part of Raʾuf Paşa's household. We assume that "Falaquz" was a *besleme*, a girl servant brought up in the household. The fact that "Falaquz" entered Raʾuf Paşa's household as a newborn would have been atypical, however. A note beside the entry for her states that later, in 1316/1898, at the age of 21, she moved to Duma near Damascus, which again would fit the life course of a *besleme* who was married off after her time of service and education. In 1882 or 1883 (1300 AH), Raʾuf Paşa's household was joined by three people from Egypt: Baqir [sic], Mabruk, and Mabruk's wife Nadā. It is quite probable that these servants were migrant workers, fleeing from poverty to the cities of *Bilad al-Sham*.[94] They also might have been emigrants who left Egypt in the wake of the British occupation of September 1882.

It is only in this register that we see the term "*maʿṭuq*," "a released slave," applied to a domestic servant. *Maʿtuk* Zenci Beşir, "the released slave Zenci Beşir," was one of two domestics in the household of ʿAsım Bey. He was born around 1865 in Sudan and his father's name is given as ʿAbdallah, which indicates that he had arrived in the Ottoman domains as a slave. The one who released him might have been either his present master or a former one.

only fathers' names are provided; mothers' names are not mentioned. For a partial analysis of the register, see Buessow, *Hamidian Palestine*, 400–405.

94 On immigrants from Egypt in late Ottoman Palestine, see Rogers, *Domestic Life*, 176.

The households of high-ranking Ottoman officials in Jerusalem employed considerably more domestics than any of the local Arab households we have examined so far. The exceptional use of the legal term *maʿtuq* in the census registers—although we can assume that many of the domestics we find were in fact released slaves—is in line with Walz's findings in the 1848 census of Cairo.[95] On the other hand, it needs to be underlined that it was not illegal to possess slaves in the Ottoman Empire; it was only the trade in slaves that had been suppressed. Toledano argues that keeping slaves at the end of the 19th century was still of crucial importance to many elite households in the Ottoman domains.[96] However, our sample of the Ottoman official elite of Jerusalem suggests another picture. Only a few members of the official elite employed slaves and it seems that free labor was replacing that of slaves. Another finding from the analysis of this register that we would like to highlight is that, again, we find more male than female servants here. This suggests that servants were more needed for guard duties or ceremonial services than for housekeeping tasks. For the latter, we assume here that staff were employed. In the cases of "Falaquz" and Nergis, it seems we have identified two examples of a *besleme.* Finally, we would like to suggest that, for high-ranking Ottoman officials and their family members, who had to move from one post to the other every few years, slaves and servants probably also constituted important companions and provided continuity in a life full of vicissitudes and abrupt changes.

The Shaykh Jarrah Neighborhood (1905): Modern Villas and "Maids"

Having discussed cases of slaves or servants in the households of Ottoman officials, we now turn to Jerusalem's local Muslim elite. The location with the highest proportion of elite families in late Ottoman Jerusalem was the wealthy suburb of Shaykh Jarrāḥ. Shaykh Jarrah was a recent development, started in 1865, and was known for its stately villas. Close to one half of the male inhabitants of this neighborhood whose occupations are listed were employed in white-collar jobs, including civil servants, clerks, religious functionaries, and members of the state security forces.[97] In Shaykh Jarrah, we find ten registered domestics among a total population of about 1,250 Muslim inhabitants.[98] The most obvious differ-

95 Walz, "Sudanese," 58.

96 Toledano, "Empire of Many Households," 89.

97 On the neighborhood and its population, see Buessow, *Hamidian Palestine*, 160–5.

98 The relevant registers from the Ottoman census are ISA, *Nüfus*, Reg. 34. The registers contain also smaller groups of Ashkenazi, Sephardi, and Maghrebi Jews, Protestants, and some Ottoman government officials from other parts of the Empire. These groups have been disregarded in the following discussion.

ence from the cases discussed so far is that almost all of them were female.[99] We may conclude from this that domestics of the elite families in this area were almost exclusively employed in housekeeping and services in the women's quarters and that there was less need for men to have them in their entourage or to employ them in hard work in shops or workshops. Shaykh Jarrah's female servants can best described as "maids," and they probably had similar tasks as in Europe, where many middle-class households employed girls and women for housekeeping and serving tasks. Several of them were born in Jerusalem, but became servants in the second generation, since one or both parents had been slaves.[100] Two women were born in Sudan and their entries show the stereotypical invented slave names: Adam Khayr [sic], with her parent's names given as ʿAbdallah and Hawwa, and the other woman born in Sudan had been renamed ʿAjamiyya, "the Persian"; her parents' names are registered as ʿAbdallah and Zaʿfaran. Another maid, who lived in the household of Husayn Efendi Ṭūqān, a great landowner, clearly was the daughter of former slaves. She was born in Jerusalem around 1845 and her entry contains the artificial name of Zaʿfaran and stereotypical parents' names (ʿAbdallah and Hawwa). The same was true for the woman Sāra, born in 1882–83 in Jerusalem. Her mother's name was a typical slave name: Qadam Khayr. Her father's name, Hajj Ibrahim, suggests that he was one of the African Muslim pilgrims who stayed on in Palestine. Perhaps he belonged to the Takrūrī community, who performed guard duties for religious sites (see below). From this community stemmed a very young girl, Ẓarīfa, born in 1893–94 in Jerusalem to ʿUthmān Takrūrī and Saʿīda, who worked as servant (*cariye*) in the household of Hajj Muṣṭafā al-Zaghar, who ran an agricultural business and was a dealer in flowers.

Another servant working in Husayn Tuqan's household was a young girl born around 1885 in the village of Tarqumiyya, north-west of Hebron. She had probably been sent to this household at a young age as a servant (or *besleme*). This reflects another noteworthy feature in Shaykh Jarrah households: some of the domestics were not linked to slavery and hailed from Jerusalem or Palestinian villages.

One woman, ʿAliyya, was from Ramūn, a small village north of Ramallah. How did women from Tarqumiyya or Ramun come to work as servants in Jerusalem's well-to-do houses? Were there agents who placed girls from rural communities with wealthy families? The small numbers of domestics in our sample makes it

99 One boy is mentioned, named Faraj, whose parents ʿAbdallāh and Maryam had passed away. He lived in the household of Salīm Efendi al-Ḥusaynī, a prominent member of the Jerusalemite elite. It is quite possible that he was the son of (former) slaves working in the Husayni household, and that the household took care of their minor son. ISA, *Nüfus*, Reg. 34: 95.

100 ISA, *Nüfus*, Reg. 34: 72; 95; 107; probably also 81.

seem unlikely that this could have been a viable business, and it is more likely that the contact was made through patron-client relationships between Jerusalem's landowners and peasant communities. Keeping and educating a *besleme* could probably bring about lasting social ties between urban and rural families that were beneficial to both sides. (See Figure 3 for the servants found in the census for Shaykh Jarrah.)

The Village of Dayr Ghassana (1887): A Shaykhly Slave

Dayr Ghassana, the political center of the Bani Zayd region north of Jerusalem, was, as noted above, the home village of ʿUmar al-Salih al-Barguthi, whom we have quoted at the beginning of this article and who grew up there around 1900. The village lends itself well to a case study, as Barguthi's memoirs provide us with unusually detailed information for a rural location.[101] Dayr Ghassana had a strongly tribal character. According to the Ottoman census registers of 1887—unfortunately, the 1905 census is not available—the village had a population of approximately 1,200, living in 196 households.[102] The village elite consisted of nine households, whose male heads were registered with the title shaykh.

One of the elite households is of special interest to us here, namely that of Barghuthi's father, Maḥmūd ibn al-Shaykh Ṣāliḥ ʿAbd al-Jābir (d. 1919). It was registered as having ten members: the shaykh, his wife (born in the neighboring village of Dayr Niẓām), children and other relatives. In addition, there was one black slave, a woman from Sudan. Her entry reads "Shamsiyya[103] bint ʿAbdallah, *cariye*," from Sudan. The note "*cariye*" in this context is very likely to have marked her as a concubine. According to the register, Shamsiyya was the only slave or servant in the entire village.

Clearly, in the tribal milieu of Dayr Ghassana, in line with the above-quoted statements, black slaves were luxury items that marked the highest level of social prestige. In light of the evidence from the census data, Barghuthi's emphatic statement that it was "almost impossible" for a man to call himself a "nobleman" without a black slave at his side[104] gains additional significance. Apparently, he added this detail to symbolize that his family was the only truly "noble" family in

101 The following builds on Buessow, *Hamidian Palestine*, 111–33.

102 Demographic information on Dayr Ghassana is taken from the Ottoman census of 1887. ISA, *Nüfus*, Reg. 108.

103 ISA, *Nüfus*, Reg. 108: 231. This is at least what appears to be the most plausible reading of the name. The handwriting in the entry is difficult to read. The name Shamsiyya, meaning "sunshine," is a common female name in Swahili. Buessow unfortunately misread this entry and assumed it described a male slave (*Hamidian Palestine*, 114).

104 See footnote 15 above.

Dayr Ghassana and, by extension, the natural leaders of the village and the Bani Zayd region. It is interesting to note, however, that, in 1887, Barghuthi's father apparently had an African concubine, but no male slave. Of course, this does not rule out the possibility that Mahmud ʿAbd al-Jabir acquired a male slave later on, but it could also have been that his son later on only implied there might have been a male black slave as this would bring his father closer to the ideal image of the tribal "nobleman" (*wajīh*).

The City of Gaza (1905): Domestic Workers in a Peripheral City

The city of Gaza, despite its population size—with about 25,000 inhabitants it was one of the biggest cities in late Ottoman Palestine—had assumed a peripheral status within the wider region as its importance as a caravan trade hub had declined following the opening of the Suez Canal and the rise of steamship traffic. Growing grain exports to Britain only partially made up for this loss. In contrast to Jerusalem, Jaffa, and Haifa, Gaza received almost no foreign immigrants and the presence of Ottoman state institutions was very limited. The city was experiencing slow but steady growth. Among Gaza's inhabitants whose occupations were registered in the Ottoman census of 1905, by far the largest number was working in agriculture, followed by occupations related to trade and transport.

The "ordinary" character of Gaza—as opposed to the pilgrimage center of Jerusalem with its special international status and its large migrant communities—makes it a particularly interesting place when it comes to obtaining more insight into the development of slavery at the turn of the 20th century. The Ottoman census registers of 1905 for Gaza are incomplete and we lack the files for about 6,000 of the city's 25,000 inhabitants, which leaves us with information about roughly 19,000 people from this city. Within this sample, we are able to identify only 30 persons who were registered as domestics—18 men and 12 women. More than half of them were locals from Gaza who worked as free-born domestics. There were four persons who had been enslaved at least once in their lifetime or were descendants of slaves.

There are very few traces of slavery in the Gaza census registers. Only one servant seems to have entered the Ottoman Empire as a slave at the end of the 19th century. This was Qalbī ("my heart"), a young woman who was born around 1875 in Ethiopia.[105] It seems fitting that this exception is found in a truly exceptional household. Qalbi worked in the household of Ḥusayn al-Ḥusaynī. Not only was Husayn an important personality, but he also belonged to one of Gaza's

105 ISA, *Nüfus*, Reg. 253: 235.

most prominent families. The Husaynis were an elite family, with members regularly holding the most influential religious positions in Gaza.[106]

Further, two female servants in Gaza had parents with an African background who had probably once been enslaved.[107] This suggests low numbers of slaves even one generation back. It is particularly noteworthy that there are not more people with a slave background registered, since around 1880 an Egyptian police document mentioned Gaza as one of the places where Bedouin sold slaves, whom they smuggled from Egypt.[108] Possible explanations are, if we believe this report, that this practice had been suppressed soon after, or that the slaves sold in Gaza were not bought by local customers. It also seems possible that heads of households, who presumably were the ones who gave the answers for their households, would have concealed the fact that they had slaves, knowing that the slave trade was now illegal and fearing being implicated in it.

The other exceptions to the rule were three migrant workers who worked as servants. Hajj ʿAbdallah al-Tunisi, aged approximately 45 at the time of registration, hailed from Tunisia. The title *hajj* makes it likely that he had come to Gaza at the end of the pilgrimage. ʿAshur Abu ʿArab, approximately 15 years of age, was a short-distance migrant who was born in the nearby market village of Khan Yunis. His parents' names, Mahmud Abu ʿArab and Fatima bint ʿAws, suggest a Bedouin background. Both men headed one-person households of their own and there is no indication that they depended on a particular master. Therefore they appear to be the most socially independent domestics in our sample.

The third case is that of Fatima, who was born around 1890 in Maraş in the Province of Aleppo. She probably entered the employment with her master, a high-ranking military officer, Husayn Ağa Daruri, when he was stationed in Maraş in 1900 and later moved with the household to Gaza. Considering the very young age at which she entered Husayn Ağa's service, it seems likely that she had been taken into his household as a *besleme*.

Another noteworthy pattern in Gaza is the employment of servants who lived independently, outside their masters' households. Only seven of Gaza's 19 servants resided in their master's household. Among them, a surprising case is

106 On Gaza's Husaynis, who were related to the famous Husayni family of Jerusalem only by marriage, not by blood, see Yuval Ben Bassat and Johann Buessow, "Urban Factionalism in Late Ottoman Gaza, c. 1875–1914: Local Politics and Spatial Divisions," *JESHO* 61 (2018): 606–49, 619.

107 ISA, *Nüfus*, Reg. 252: 247; Reg. 260: 83.

108 An Egyptian police document from 1880 describes this smuggling of Sudanese women and children by Bedouin and their sale in Gaza. Quoted in Liat Kozma, "Black, Kinless, and Hungry: Manumitted Female Slaves in Khedival Egypt," in *Race and Slavery: Histories of Trans-Saharan Africans in Nineteenth-Century Egypt, Sudan, and the Ottoman Mediterranean*, ed. Terence Walz and Kenneth M. Cuno (Cairo: American University in Cairo Press 2010), 205.

the young male servant Salama, a local from Gaza, who lived in the household of his master, Saʿid Efendi al-Shawwa (1868–1930)—again one of the most important political leaders and merchants in Gaza at the time. Salama was registered together with his two young wives, born in Gaza and Alexandria, respectively, who were probably also domestic workers. Salama is the only male servant that we find living in his master's household. The others either headed their own households or lived in the household of a relative.

In conclusion, we note a very small number of domestics in Gaza. Although we are lacking the census files for about 20% of the inhabitants and there is always the possibility of an undercount, the resulting image seems credible insofar as we find servants in the households of people who were undeniably at the top of the local hierarchy in terms of power and wealth, Husayn al-Husaynī and Saʿid al-Shawwa. This recalls what we have observed in the village of Dayr Ghassana, where only the politically dominant shaykhly family kept a servant. Around 1900, there were only a handful people registered as working as domestics in Gaza. However, we can presume that there were more domestic workers, especially women, who were employed as household help in wealthy families. Such people were probably not captured by the census. In any case, the census registers clearly reflects the demise of slavery and an increase in the number of free servants, who lived either in their masters' homes or in households of their own.

Servants' Skin Color in the Ottoman Census: Racial Bias?

In the Ottoman census of 1905, skin color was used as a personal identifier, alongside height, eye color and other physical attributes, such as visible bodily defects. People's skin color was classified by four terms: "dark" (*esmer*), "brown" (*buğday*), "fair" (*eşker*) and "white" (*beyaz*). Most of the inhabitants of Gaza were described as being "brown." In light of the above-quoted statement regarding white or "fair" skin as beautiful and dark skin as a sign of the "curse of Ham," made by Ahmad Busaysu—perhaps Gaza's prominent contemporary Muslim scholar—we might wonder whether the classification of people's skin color was an entirely neutral process. Were servants predominantly dark-skinned and is there any sign of racial bias in the census records? One possible way of probing this issue is to examine whether there is a correlation between skin color and social status in the census.

The analysis of a small sample of the census records—12% of household heads and 4% of household members have been examined so far—indicates some remarkable trends. Members of Gaza's elite families were described as being "white" or "fair" more frequently than the rest of the population. The occupations that most commonly go together with "white" or "fair" skin color in the

census registers are religious scholars and state officials. People described as "dark" or "brown" were mostly peasants or laborers, followed by merchants. Servants tended to be described as "brown" or "dark" more frequently than the average population of Gaza.

The question must remain open as to whether census officials, or household heads who might have reported their servants' details, were biased by the stereotype of black skin as being associated with servitude, as we have found in Ahmad Busaysu's rendering of the "curse of Ham." The entry for the servant Ṣāliḥ al-Bāyā, born in Gaza and described as being "dark-skinned" (*esmer*), is a typical case.[109] Also classified as "dark" was the son of the marriage between the late Ḥājj Ibrāhīm al-Waqqād, a freeborn man, and his second wife, a former Sudanese slave.[110] Another entry gives an interesting glimpse into what seems to be a retroactive standardization of skin color, perhaps informed by racial bias. This entry concerns Muḥammad al-Zanjī, a man with a probable slave background, who was head of a household of three. He was first classified as "brown" (*buğday*), while his brother, who lived in the same household was described as "dark" (*esmer*). In a second step, an official crossed out the word "brown" and replaced it with "dark."[111] Were skin color and other ethnic markers manipulated through the inter-agency of census officials and certain individuals concerned with their social standing? A more comprehensive analysis of the registers would be needed to answer this question.

In short, we do not find a uniform pattern with regard to skin color entries, but again we can identify certain trends. In a random sample of 47 men whose occupation was noted and who were classified as dark-skinned, 46 neither worked as servants nor had a likely slave background. However, they predominantly had low-status occupations, especially as peasants (17 cases, 36%). Skin color might not always have been an ethnic indicator in the census. Given that agricultural and manual workers would have a dark skin as a result of being exposed to the sun, it might have been a simple description of color with no racial connotations.[112]

Conversely, not all men and women working in service were classified as being dark-skinned. Sharrāb ʿArāyishī,[113] a servant (*hizmetkar*) born in Khan Yunis, was described as "white" (*beyaz*), while the above-mentioned Saʿid al-Shawwa, the later mayor and one of Gaza's most powerful personalities, was classified as "brown."

109 ISA, *Nüfus*, Reg. 252: 271.
110 ISA, *Nüfus*, Reg. 253: 119.
111 ISA, *Nüfus*, Reg. 260: 67.
112 We thank Carol Rowe for this observation.
113 ISA, *Nüfus*, Reg. 266: 113.

From the analysis of our sample of entries from the Gaza census register, we come to the conclusion that there was a moderate correlation between skin color and social status: light skin was more frequently associated with learning and high social status than brown and dark skin. It seems likely that this reflected a reality in which people of color tended to be disfavored and, on average, were more frequently employed in lower-status occupations. However, the racial prejudice against dark skin color that we find in Busaysu's text did not dominate to such an extent that, during census-taking, identification of people by skin color would have implied a severe bias.

Servant Biographies and the Question of Agency

Although slave supplies still reached the Ottoman Empire at the end of the 19th century and Ottoman officials as well as other people still possessed slaves in 1905, slavery was clearly phasing out.[114] The question of what opportunities societies in the Ottoman Middle East offered to released slaves and their offspring has rarely been discussed in historical scholarship so far. The few studies that exist mostly deal with the major cities of Cairo and Istanbul.[115]

Before we discuss evidence from the Ottoman census records for Gaza on the life courses of individuals with a slave background, it is important to highlight again the complexity of social situations that conditioned the agency of domestic workers beyond the simple legal dichotomy of "free" versus "unfree."

First of all, becoming a domestic servant entailed the high cost of being strongly dependent on the master of the household. However, it could be very desirable for young people from modest or precarious backgrounds, as it promised a secure income and a relatively high measure of social security. Special skills or abilities could also open up special opportunities. This can again be illustrated by an example from the household of the British Consul Edward Thomas Rogers, which is described in the memoirs of his sister Mary Eliza Rogers. His groom was an Egyptian refugee from a poverty-stricken background whose talent in working with horses opened the way into the consul's household.

114 See Baer, "Slavery," 439.

115 For many it was difficult to find a new job after being released. At least in some cities, Ottoman state agencies were searching for occupations for emancipated slaves. In Cairo, there was an employment agent (*mukhaddima*) who helped released slaves to find new employment. In Istanbul, women called *godya* provided spiritual as well as practical help for women of Trans-Saharan origin. Christian missionaries also took care of freed slaves. On these and a variety of other institutions and practices that provided practical and spiritual help for slave and ex-slave communities in the Ottoman Empire, see Toledano, *As If Silent*, chaps 2–5. For Istanbul, see Erdem, *Slavery*, 173–81. For Cairo, see Kozma, "Black, Kinless, and Hungry," 210–11.

He reported that he had left his country more than 20 years before, which indicates that he had been a soldier in the army of Ibrahim Pasha, who occupied Palestine in 1831. However, it was impossible to return, and so he had to seek his fortune in the foreign country: "It is more than twenty years since I left my mother. She was a widow … When the poor leave their parents, they leave them forever."[116]

Slavery was a highly ambivalent category. On the one hand, as the quotations from the Gazan scholar Ahmad Busaysu have shown, it involved a social stigma that could be handed down over generations and thereby negatively affect people's agency for a long period. On the other, being a slave often entailed certain privileges not available to legally free servants. Thus, by taking the logic behind the servant status—dependency in exchange for security—to its extreme, slavery could, paradoxically, give an individual increased agency compared with that of free servants.

Gabriel Baer has an interesting note on free servants who worked in a household alongside slaves. He states that, if these two types of servants were present in one household, it was usually the free servants who had to do the rough work, not the slaves. We may conclude from this that the slave status was so much associated with the master's high social status that slaves could benefit from it.

In any case, a change from slave to free status was a critical juncture in the lives of many domestics as it was by no means certain that it would bring an improvement in one's living conditions and opportunities. Again, the observations of the perceptive Mary Rogers can provide us with a first idea of how the release of a slave was carried out and what consequences this act had for social relations between the servant, his or her master/mistress, and the other household members. During one of her visits to a local friend, the wealthy Christian notable Jirjīs al-Jamāl ("Giammal"), Rogers witnessed the immediate aftermath of the manumission of a young Ethiopian slave girl. She reports:

> In Mr. Giammal's establishment there were several black servants, good-natured Abyssinian girls. (…) One day there was great rejoicing among them, and cries of congratulation echoed through the house. I inquired the cause. I found that a young slave girl, who had been hired by Mr. Giammal, had just been set free. She was the property of an Arab widow lady who resided at Akka. This lady had just arrived (…) and had given freedom to her slave and told her that she had made a will in her favour. The poor girl was at first quite overcome with delight and wonder, but on reflection she seemed almost to tremble at the loneliness and responsibility of her new position. (…).[117]

116 Rogers, *Domestic Life*, 176.
117 Rogers, *Domestic Life*, 377–78.

The main topic of this passage—which, by the way, reminds us of the fact that slaves could be rented out by their owners to work in other households—is the relative security that the position as a domestic servant provided, which was abruptly called into question by the act of release. This is underlined by a conversation between the former owner and the ex-slave, which Rogers reports: "The lady explained that she was growing old, and could not live long to watch over her, and it was the thought of approaching death which had caused her to decide to give her young slave freedom. (…)" We soon learn that, in outward terms, not much changed in the life of the servant, although the change in her legal status may have provided her with a new sense of self-esteem and greater social recognition:

> The girl still remained in Mr. Giammal's service. The only change in her position was that her wages were to be paid to her, instead of to her late owner. I questioned the girl a day or two afterwards, as to how she felt. She said: "I am free and I am very glad-hearted, but I do not know what it is that makes me so glad. I am the same one that I was before, and I work and live as I lived before, but everybody says it is better to be free."[118]

With enslavement, the slaves' past, family and cultural bonds had been deleted and brought them into a new household, an introduction to a new social network in which the slaves could orient themselves. A manumission was publicly regarded as commendable, but for the slave it also could mean leaving social bonds behind again and ultimately losing social security.[119] To release slaves after a period of time was common practice in the Ottoman Empire, and the former slaves often stayed as servants in the household they used to work for or were employed by someone else. During the 19th century, various initiatives were established to give manumitted slaves shelter. In Istanbul in 1848, under Sultan ʿAbdülmecid, some 70 male and female slaves were released and married to each other in a measure that met with high public approval. They were sent to farms belonging to the Crown in order to be employed there. Similar plans were devised by Sultan ʿAbdülhamid II.[120] Freed slaves were allowed to stay in guesthouses, and sometimes private European charitable societies took care of them. In Istanbul, self-help organizations under the leadership of freed female black slaves (*godya*s) promised help.[121]

In the case of Jerusalem, census registers suggest that, at least for girls and women, marriage was a way to be saved from poverty and homelessness. Testimony to this comes from the Al-Wad neighborhood, where seven Africans were

118 Rogers, *Domestic Life*, 377–78.

119 See also Toledano, *As If Silent*, for the central Ottoman lands. For Egypt, see Kozma, "Black, Kinless, and Hungry," 199, 206.

120 Erdem, *Slavery*, 179–80.

121 Erdem, *Slavery*, 173–76.

registered who all bore the *nisba* "al-Takruri," which refers to *Bilad al-Takrur*, an Arabic term used for various Central African regions.[122] They were Muslims who are known to have formed a community and they were employed as guards of the nearby Haram al-Sharif. At least four of them married wives with a slave background, by which we mean that either the wives themselves or at least one of their parents had formerly been enslaved.

As for the men, it is likely that they had returned from the Hajj pilgrimage—five of them were registered with the title *hajji*—and settled in Jerusalem to join the Takruri community. As outsiders to the local society and men of modest means, it was probably not easy for them to establish a family. Thus, their marriage to young women with a slave background was probably of mutual benefit and might even have been supported by the Ottoman government as part of a policy to prevent the members of both groups from falling into poverty.

Similar to what we know from other locations, there might also have been some self-help-organization of manumitted slaves in Jerusalem too. Toledano argues that, in Cairo, Izmir and other places, former female slaves were involved in the *Zār* cult.[123] Walz also detected clusterings of former slaves in various parts of Cairo that could have helped to develop a social network between them.[124] So far, however, we do not have any firm evidence for this and the topic needs further research.

In any event, some were abandoned. Mary Rogers writes about an "African maniac" outside the town of Haifa. Some Europeans had complained about him when he still was in the town, "because he walked in the streets quite naked," so he had been banned from Haifa. She described him as mentally deranged and living in a garden complex that provided shelter for homeless people.[125] With regard to Cairo, Walz is pessimistic about the fate of manumitted slaves who did not have access to the local elite. 14% of the inhabitants of the shantytown of ʿAbdin at Bab al-Luq—a "place of ruins and weeds," with a bad reputation for hundreds of years—were slaves or released slaves, among them single mothers and former government slaves (*min maʿātīq al-mīrī*), who had formerly worked as factory hands in industries inaugurated by Muhammad ʿAli and closed down in 1848.[126] Liat Kozma also argues that it was more difficult for black women to integrate into society after manumission than for former white slaves or black male slaves. Occasionally, these women, "black, kinless, and hungry," were kidnapped and

122 See Walz, "Sudanese," 54–55 and index.

123 Toledano, *As If Silent*, 212–33.

124 Toledano, *As If Silent*, 68.

125 Rogers, *Domestic Life*, 108–9. Ms Rogers describes an old, blind woman living there, her possessions and clothes hanging on trees that functioned as closets. Rogers, *Domestic Life*, 107. This is done by homeless people in parks, e. g. in Tel Aviv, until today.

126 Walz, "Sudanese," 65–7.

forced into slavery again.[127] Other manumitted female slaves were forced into prostitution.[128]

In light of the basic need for social security, it comes as no surprise that, in particular, girls who were born to parents with a slave background, tended to remain employed in domestic service. For example, in the records from Gaza, the entries for two female servants suggest such a descent. One is the "black" servant Nazira, who lived in the household of a prominent notable, ʿAbd al-Hayy Faʾiq al-Husayni, and had been born in Gaza in 1309/1891–92 to a man called Faraj and his wife (name illegible). The other case is the servant Ḥalīma, born in Gaza in 1279/1862–63 to one ʿAbdallah al-Zanji and his wife Marjana. There are similar cases in Jerusalem.

Remaining employed as a servant after manumission meant that, for former slaves, dependency on their masters continued to a large extent, particularly when master and ex-slave lived in the same household. For some, there was the possibility of work as a salaried servant while living in a household of their own. However, probably due to public reservations against women living alone, and perhaps also because lower wages were paid to women than to men, more male servants than women servants managed to achieve this.[129] At least some domestic servants had the option of marrying and starting a family while being employed. This is illustrated by two cases of servants who lived in their master's household together with their own children. But again, this might have increased their dependency on the former master.

Be that as it may, the census records demonstrate that an astonishing variety of arrangements was possible. For example, in the large household of the above-mentioned later mayor of Gaza, Saʿid al-Shawwa, there lived the young servant Salama, about 14 years of age, born in 1309/1891–92 in Gaza. Salama was married to two women of a similarly young age, first ʿUbayda from Alexandria (born 1310/1892–93) and later Zarifa from Gaza (born 1309/1891–92). It is quite

127 Kozma, "Black, Kinless," 199.

128 Kozma, "Black, Kinless," 211.

129 Sixteen girls and women in Gaza were registered as living in a single-person household. There could have been various reasons for this; they may have been childless widows, divorced women or young girls without family support, etc. Since it was common to rent dwellings, these women must had access to some resources to maintain a household of their own. Unfortunately, no occupation is given for them, so we can only guess that some of them might have worked in the domestic field, but this is speculative. Of the male-servants, we find four servants who were household heads: ʿAshur Abu ʿArab, born in Khan Yunis in 1308 (1890/91), ʿIsa al-ʿAshā, born in Gaza in 1287 (1870/71), Salih al-Baya, born in Gaza in 1297 (1879/80), and ʿAbdallah al- Tunisi, born in Tunis in 1277 (1860/61). All were living in the old city district of Gaza, Daraj (ISA, *Nüfus*, Reg. 266: 153 and 295; Reg. 253: 17; Reg. 252: 271). There were another eight servants who were living in the household of a family member, e. g. the servant ʿAbd al-Ghanī, son of the servant ʿIsa al-ʿAsha. See for the situation in Cairo, Walz, "Sudanese," 58, 63.

probable that the two women also worked as servants in Saʿid al-Shawwa's household. Thus Salama seems to have had two wives at the same time. At least there is no entry regarding a divorce or the death of the first wife.[130]

Upward mobility was possible through education and apprenticeship. There was a young man called ʿAbd Rabbuh Barāwī Waqqād, born in 1305/1887–88 in Gaza, who lived in a two-person household with his mother, Mabruka. Mabruka was born in Sudan in 1265/1848–49 to ʿAbdallah Zanji and Zaʿfaran.[131] We may surmise from the stereotypical names of her parents that they had been brought to the Ottoman Empire as slaves and that, in all probability, Mabruka was either a manumitted slave or the daughter of manumitted slaves. ʿAbd Rabbuh's father was the late Hajj Ibrahim, probably a local of Gaza. The fact that ʿAbd Rabbuh had two older half-siblings shows that his father had had another wife before Mabruka. It is interesting to see that ʿAbd Rabbuh, as the son of a mother with a slave background, enjoyed the same opportunities as the children of the first marriage: Both he and one of the older sons of the first marriage were apprentices in a bakery. We may hypothesize that, through her marriage with a local man bearing the respectable honorific of Hajj, Mabruka had successfully secured integration into Gaza's society for herself and her children. Another case is that of a man called "*Zenci* ʿAbd al-Muʿti al-ʿAbd," who was born in Gaza around 1880. His parents' names are rendered as Mabruk and Mabruka. It seems safe to read these rather stereotypical names, together with the *nisba* of *Zanji* and the family name *al-ʿAbd* as indicators of a slave background. In spite of this, the census record suggests that ʿAbd al-Muʿti was a well-established personality. Most unusually, he was registered as having "Arabic reading and writing skills' (*Arapça okur ve yazar*), which meant that he was proficient in reading and writing.[132] In addition, he headed an extended household in the central neighborhood of Zaytun, consisting of his mother, his wife and three children. His wife was Munira from Gaza and there are no hints whatsoever that she might have had a slave background. In this case, it might have been the resource of education that made this man with a slave background an acceptable match in the eyes of Munira's parents. It is curious, however, that he was nevertheless singled out by the attribute *Zanji*. It would be interesting to know whether this was an acknowledgment of his African roots in which he took pride or whether it reflected a discriminatory practice by the majority society. The case becomes further complicated by the fact that his skin color is described as "white" (*beyaz*). Why would he have wanted to be identified as a "white-skinned" "East African"? We are for-

130 Such updates, however, were sometimes not registered. ISA, *Nüfus*, Reg. 265: 3.

131 ISA, *Nüfus*, Reg. 253: 119.

132 Walz, "Trans-Saharan Africans," 60. Among the 30 entries for "Arabic reading and writing skills" that we identified in the Gaza census records, he is the only one with an African or possible slave background.

tunate to have found further evidence about ʿAbd al-Muʿti in a photograph posted on the official website of Gaza's municipality. The Arabic caption to the image identifies him as "ʿAbd al-Muʿti Mabruk (municipal police officer)." In contrast to the census entry, two discriminatory terms have been dropped here: the identification as *Zenci* and the term al-ʿAbd, which the census officials gave in place of a family name. In the photograph, his father's name, Mabruk, is given instead. His inclusion in the photograph with the members of the Municipal Council underlines the rise in his social status.[133]

Upward mobility and integration into the local Arab Muslim society was possible, but it seems that the success stories sketched out above were the exception rather than the rule. It seems to have been difficult for former slaves to marry into the local society. The majority of Gaza's male slave offspring were registered as unmarried.[134]

Here we would like to end the tour through the selected locations and to come to a general assessment of our sample of domestic workers. Figure 3 shows the cases discussed in alphabetical order, sorted by locations, while Figure 2 provides an overview of the sample.

Conclusion

Our analysis of select registers from the Ottoman census of Jerusalem and Gaza by and large confirms Gabriel Baer's scenario of the end of slavery in Egypt.[135] However, there are interesting differences. First of all, slavery had shrunk to a niche phenomenon by 1905. The last slave transports to Ottoman Palestine are reported during the late 1870s. By 1905, when the last and most comprehensive

133 Photograph of Gaza's Municipal Council in 1912. It shows ʿAbd al- Muʿti Mabruk (al-ʿAbd), standing second from the left, as a municipal police officer (*mufattish baladiyya*). Seated in the middle is the mayor, Saʿid al-Shawwa (1868/9–1930). With ʿAbd al-Muʿti Mabruk, there are two more police officers framing the councillors, to the right another officer, ʿAbd al-Salam Milad, and to the left their superior, Yusuf Ziyazade (*raʾis mufattishi al-baladiyya*). Source: Gaza Municipality, official website, https://www.gaza-city.org/index.php?page=VmpGa05HRXlSWGxUV0d4VFlrZDRWbGxYZEV0alJsSlZVVzVhVGxWVU1Eaz0= (accessed 26 February 2020).

134 ISA, *Nüfus*, Reg. 260: 67; Reg. 253: 199. Also for Egypt, be it in Cairo or in villages, Walz and Cuno found that the majority of enslaved Africans or released African slaves married less often and, if they married, they did so at an older age than free Egyptians. See Walz and Cuno, *Race and Slavery*, 13. Often (former) male slaves married (former) female slaves, something that was more difficult in smaller cities without large numbers of slaves such as Gaza. On the other hand, Walz's analysis shows that more freed men married than freed women, and there had also been marriages between former Sudanese slaves and Egyptian women. Walz, "Sudanese," 65.

135 Baer, "Slavery."

Figure 2. Overview of the Sample

Location, year/ period of data gathering	Population number (Muslims)	Number of domestics	Domestics' percent share in relation to total population	male	female	slaves	free domestics with slave background	free domestics without slave background	Unclear
Jerusalem, Al-Wād, 1905	c. 2,000	5	0,3	3	2	4	–	1	–
Jerusalem, Saray, 1877–89	248	30	12	17	13	11	–	19	–
Jerusalem, Shaykh Jarrāḥ, 1905	c. 1,250	11	0,9	1	10	2	3	5	1
Dayr Ghassāna, 1887	c. 1,200	1	0,1	0	1	1	–	–	–
Gaza city, 1905	c. 19,000	30	0,1	18	12	4	9	16	1
Total		77		39	38	22	12	41	2

Ottoman census was taken, only a few slaves were registered in Palestinian Muslim households. Not one of this last generation of slaves had been born after 1875 and they had all come from regions of East and Central Africa, mostly Ethiopia (Abyssinia) or Sudan. The largest number of the domestic workers in our sample—41 of the 77 domestic workers we were able to locate—were free men and women. In comparison with Egypt, our findings suggest that slavery generally had been of much smaller proportions in Ottoman Palestine. In contrast to Baer's assumption that the labor market was a major driving force in the dismantling of slavery and that slaves were replaced by salaried workers, we find a more checkered picture. Indeed, many of the people whom we categorized legally "free" domestics were probably salaried workers, but there are many cases in which we have reason to assume that domestics were not paid in cash and that their lives were conditioned by various forms of human bondage or dependency. This seems most true for persons with a slave background and for those girls whose background suggests they were employed in a *besleme* arrangement.

Most of the slaves we have discussed in this article were registered in the Ottoman Government House (*Saray*) during the 1880s. If we do not count the registers that were compiled before 1905 (Dayr Ghassana and the Jerusalem *Saray*), we are left with only ten possible cases of domestics with slave status.[136] Even the Ottoman ruling elite in the Jerusalem *Saray* during the period 1877–89 employed more free domestics than slaves. We conclude that, at the turn of the 20th century, slavery had almost disappeared in Palestine.

How widespread was hired domestic work in general—slaves and non-slaves combined? The overall population within our sample for this study includes some 24,000 people from the Muslim community.[137] If we put these numbers in relation, we see that those domestic workers that were registered in the census accounted for only about 0.3% of the population. By far the highest share—12% —was found in our sample from the Jerusalem *Saray*, which dates from the period 1877–89. The lowest shares of domestics are reported for the city of Gaza and the village of Dayr Ghassana with 0.1% for each location. Shaykh Jarrah and Al-Wad were in a middle bracket with shares of 0.9 and 0.3%, respectively.

Therefore, our sample also testifies to the fact that that there were pronounced regional differences with regard to the size of both phenomena—slave and non-slave domestic work—throughout the Empire. In Egypt, slavery was probably

136 These are cases in which the indicators discussed above suggest slave status. It is impossible to determine with certainty whether these women and men had been manumitted by the time of registration. It will be an interesting task for future research to systematically compare the extant registers from the 1880s with those of 1905 and see to what extent we can trace the transition from slave to salaried work.

137 We do not include the non-Muslim population in the five locations surveyed, which in all cases was small to non-existent.

much more common than in all other Ottoman provinces and, in Cairo, even middle-class men, such merchants, scribes or scholars, often employed several slaves and servants in their households.[138] From the analysis of our Palestinian sample, we conclude that it was only high-ranking Ottoman officials and a small number of very wealthy local Arab Muslim households who employed slaves or servants.

An interesting difference between our findings and those of Toledano and Walz is the ratio between male and female domestics. Whereas studies on Cairo and Istanbul consistently mention a predominance of female domestics, in our samples more men than women were employed as domestic workers. This was most pronounced in Gaza and in Jerusalem's Al-Wād neighborhood, where there was a clear majority of men. In this, they resemble the findings of Kenneth Cuno regarding slaves and domestic workers in Egyptian villages, who were predominantly male,[139] as opposed to the preponderance of female domestics in Cairo and Istanbul. We may surmise that the main reason for this was a demand for manual laborers, security guards, attendants, and factotums, be it in an agricultural environment, as in the case of Gaza, or in an urban market area, as in the Al-Wād neighborhood of Jerusalem. It could also have been the case that, at least in the case of free women, there would have been a reluctance for them to work outside the home.[140]

The exception was Jerusalem's Shaykh Jarrah neighborhood. It seems that the younger generations of the old elite families and the new middle classes that we find concentrated in this neighborhood followed a new trend by employing predominantly women as servants. Overall, employment patterns in Shaykh Jarrah seem to foreshadow the widespread phenomenon of hired female domestic workers or "maids" in the modern Middle Eastern cities.[141]

With regard to semantics, it is eye-catching that, in the Ottoman censuses after 1880, there were no administrative terms for slaves, but only identity markers. Free servants and slaves were, when it came to their occupation, both addressed by the generic term *hadim*/*khadim* "servant" or its female form *hadime*/*khadima*. *Cariye*/*jariya*, the classical term for "female slave" or "concubine," was used as a synonym for *hadime*/*khādima*. However, slave descent was marked by other linguistic devices, especially the absence of family names (which were standard for the rest of the Palestinian population) and stereotypical slave names for both

138 Baer, "Slavery," 6–7.

139 Cuno, "African Slaves," 83.

140 We thank Carol Rowe for this suggestion.

141 On female domestics in Middle Eastern countries, see Bina Fernandez and Marina de Regt, eds., *Migrant Domestic Workers in the Middle East: The Home and the World* (New York: Palgrave Macmillan, 2014).

the person and his or her parents. Thus, we observe an ascribed identity of slave descent or "slave background," which survived the abolition of slavery.

In some cases, as documented for Jaffa and for Jerusalem's Al-Wād neighborhood, people identifying as *ʿAbid* or *Zenciye* formed organized groups, with headmen as interfaces vis-à-vis the Ottoman government authorities. In the context of Jaffa—a spread-out city with much space available—the *ʿAbid* did settle as a compact community in spatial segregation, whereas the *Zanji*s of the densely built-up Al-Wad neighborhood lived scattered across a socially and ethnically diverse neighborhood.

Social and racial stereotypes also survived slavery, as we know from written sources of the period, such as Ahmad Busaysu's *Kashf al-Niqab*, with its passage on the "Curse of Ham." Perhaps, such stereotypes even acquired new meanings through contact with Western colonial ideologies.[142] However, it is difficult to gauge how pervasive and influential such stereotypes were. With regard to our main source, the Ottoman census, we come to the conclusion that there was a correlation between skin color and social status: light skin was more frequently associated with learning and high social status than brown and dark skin. We believe that this reflected a reality in which people of color tended to be disfavored and, on average, worked more frequently in lower-status occupations. Racial prejudice against dark skin color, as we find in Busaysu's text, does not seem to have biased the identification of people by skin color, but we may nevertheless assume that social and racial prejudice constituted a heavy burden for people with an African migration and slave background and limited their social and professional opportunities. Busaysu's invective against Muhammad Fakhira, his fellow scholar with an alleged slave background, are indicative in this respect.

Biographical data contained in the census concerning slaves and persons with a slave background—as sketchy as they are—give us some insight into the agency of these persons in late Ottoman Palestine. In line with Ehud Toledano, Liat Kozma, and others, we assume that the main challenge for slaves and other domestic workers was generally to "tame the unknown" in the foreign host society and more specifically to find social security and carve out a place of one's own in the host society.[143] The first insight we gain is that, beyond general factors such as political circumstances (e.g. abolition policies), ethnicity (e.g. "black" versus "brown" or "white" skin color and the attached stereotypes), and location (e.g. urban versus rural, densely built-up traditional neighborhoods versus modern suburbs), the agency of all the groups we have discussed here—"imported" slaves, free domestics with a slave background who were born into a

142 See Cuno, "African Slaves," 87.
143 E.g. Toledano, *As If Silent*; Kozma, "Black, Kinless."

Palestinian town or village, and free domestics without a slave background—was highly individualized. Compared with the metropolises of Istanbul and Cairo, late Ottoman Palestine offered less potential for communal self-help organizations, but our sources hint at the existence of "micro communities" of African descent groups, such as the *Zenciye* of Al-Wad, and individual avenues of integration, which become especially visible in two cases from Gaza.

We assume that social relations within households were key in determining such persons' life chances both while they were in bondage and after emancipation. Examples of individual entries in the Ottoman census can illustrate the range of possibilities. An outstanding case is ʿAbd al-Muʿti al-ʿAbd of Gaza, who was identified by the confusing combination of attributes "white skinned" and "Zenci." The remark "Arabic reading and writing skills" (*Arapça okur ve yazar*) put him into the distinguished company of only 24 Gazans who received this remark in their entry—mostly Muslim scholars and members of well-known elite families. We may assume that fortunate circumstances during enslavement had enabled ʿAbd al-Muʿtī al-ʿAbd to acquire an exceptional education, which in turn provided him with an exceptional resource for an independent life and helped him to gain the respectable position of a municipal police officer. In the case of Faraj Nashashibi from the Al-Wad neighborhood, we find a senior domestic—about 68 years of age, with a typical slave profile—who not only lived in a household of his own but who also had adopted his master's family name—in this case one of the city's most prestigious names. This cannot but testify to a very successful career in the service of the Nashashibis.

Marrying into a local family was another way of integration. Here we find a gendered pattern: men with a slave background had only a slim chance of marrying a local woman. Their preferred marriage partners were women with a slave background. On the other hand, young women with a slave background could hope for a match with a local husband. Local men sometimes took women with a slave background as a second wife. If children were born as a result of this marriage, they could expect to enjoy the same privileges as their half-siblings, such as vocational training. A good example is ʿAbd Rabbuh, the baker's apprentice in Gaza with Sudanic roots. For those who lacked such possibilities of individual integration into local society, collective integration via 'micro-communities' such as the *Zenciye* community in Al-Wad may have provided an alternative.

Appendix

Figure 3: The Sample of Domestics in Alphabetical Order, Sorted by Location.

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
Jerusalem, Al-Wād	ʿAlī al-Miṣrī	Jerusalem, 1294	*hizmetçi*	Muḥammad, Bakriyya	–	Reg. 22: 89.	ʿAlī had a household of his own and worked as a free servant, not living in the same household as his master.			x		x	
	Baḥr al-Zayn	Sudan, 1278	*hanesinde mukim* ("presently at his house")	ʿAbdallāh, Marjāna	ʿUthmān Zakī Efendi al-Khālidī	Reg. 22:70.	Baḥr al-Zayn lived, together with her son (born in Jerusalem 1312), in the household of her (former) master. The boy's father's name is given as Sayyid ʿAbdallāh al-Zanjī.	x					x
	Faraj	Darfur, 1260	*zenciye muhtar; hanesinde mukim*	ʿAbdallāh, Ḥawwā	Ḥusayn Efendi Nusayba, merchant	Reg. 22: 63	Faraj acted as the headman (*muhtar*) of a community called "Zenciye," probably (former) slaves. He lived with his young daughter Zalqā in his master's house. The girl's mother had passed away.	x				x	
	Faraj Nashāshībī	Sudan, 1252		ʿAbdallāh, Fātima	former servant of Nashāshībī-family.	Reg. 22: 89.	Faraj lives in his own dwelling. He was, as his *laqab* reveals, a former servant of a Nashāshībī household. He was probably released by them and after retiring, was given money and a dwelling so he could get by.	x				x	

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Qadam Khayr	Darfur, 1270	*cariye*	ʿAbdallāh, Marjana	Yusuf Efendi Badwīl (?), director	Reg. 22: 54.		x					x
Jerusalem, Saray	Ahmed Ağa	Sarajevo (Bosnasaray), 1260	*hizmetçi*	Mustafa Ağa (from Sarajevo / Bosnasaray)	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 1.				x		x	
	ʿĀʾisha, *cariye*	Ethiopia (Habeş), 1258	*hademe*	ʿAbd al-Karīm, Ethiopia	Hüseyin Hamdi Efendi, tax official	Reg. 16: 3.	The note "*cariye*" in the name field may have been meant to signal that the women in question was a concubine.	x					x
	ʿAli Ağa, Haci	Sarajevo (Bosnasaray), 1252	*hizmetçi*	İsmaʿil Ağa (from Sarajevo / Bosnasaray)	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem, Istanbul	Reg. 16: 1.				x		x	
	Amīn	Beirut, 1288	*hademe*	ʿAbdallāh (from Beirut)	Mustafa Asim Efendi, government official (Kudüs tahrirat müdürü)	Reg. 16: 5.				x		x	
	Amīna Qabdalī	Kandiye, Crete, 1260	*hizmetkar*	Mustafa Ağa (from Kandiye)	Mustafa Bey, official in the tithe department (from Qandiye, Crete)	Reg. 16: 2.				x			x

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Baqir [sic]	Khūẓa (?), 1245	*hademe*	Mīrūk (?), Khūẓa, Egypt (?)	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 5.	He entered in 1300 the same household as his two fellow countrymen Mabrūk and Nadā.			x		x	
	Beşir, *maʿtūq*, *Zenci*	Sudan, 1282	–	ʿAbdallāh, Sudan	Asım Bey, military officer (*Kudüs Tabur Ağası*)	Reg. 16: 4.	*Maʿtūq* means released; thus he was a former slave working as a free servant.	x				x	
	Falaquz (?)	Circassia, 1291	*hizmetçi*	Sulaymān (from Circassia)	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem, Istanbul	Reg. 16: 1.	Likely to have been a *besleme*. She arrived Jerusalem with the household in 1293. A note in the register states that in 1316 she moved to Duma, near Damascus.			x			x
	Fāṭima ʿAṭiyya	Jerusalem, 1299	*hademe*	Mustafa	Hüseyin Hamdi Efendi, tax official	Reg. 16: 3.				x			x
	Fāṭima	Ethiopia (Habeş), 1250	*hizmetkar*	ʿAbdallāh	Mustafa Bey, official in the tithe department	Reg. 16: 2.		x					x
	Feryāl, *hizmetkaresi* ("his servant")	Circassia, 1270	*hizmetçi*	ʿAbdallāh (from Circassia)	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 1.	A note in the register states that in 1308 she moved to Damascus Gate, Jerusalem.	x					x

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Halil Efendi	Niğde, 1288	*hademe*	Abdul Razak (Niğde)	Hüseyin Hamdi Efendi, tax official	Reg. 16: 3.	The title "Efendi" seems highly unusual for a servant.			x			x
	Ibrāhīm	Boyabad (Kastamonu), 1273	*hizmetkaresi*	Mehmed (birthplace illegible)	Yunus Vehbi Efendi, judge at Jerusalem court / *Kudüs naʾibi* (from Rize)	Reg. 16: 2.				x		x	
	Khadīja	Circassia, 1269	*hizmetkar*	ʿAbdallāh	Yunus Vehbi Efendi, judge at Jerusalem court / *Kudüs naʾibi* (from Rize)	Reg. 16: 2.		x					x
	Khurshīd	Istanbul, 1287	*hizmetkar*	ʿAbd al-Karīm, Istanbul	Aḥmad ʿAtallāh, judge at Jerusalem court / *Kudüs naʾibi* (from Istanbul)	Reg. 16: 7.				x		x	
	Mabrūk	Egypt (unclear place name), 1259	*hademe*	Muḥammad Ṣāliḥ Qaḍab (from Egypt, place name illegible)	Mehmed Ṣerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 5.	Joined the household probably in 1300, when he was registered together with his wife Nadā (see below).			x		x	

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Maḥmūd Agha	Arapgir, 1246	*hizmetkar*	Mehmed, Arapgir	Aḥmed ʿAtallāh, judge at Jerusalem court / *Kudüs naʾibi* (from Istanbul)	Reg. 16: 7.				x		x	
	Mehmed	Erzurum, 1275	*odacı*	Yaʿkub, Erzurum	–	Reg. 16, p. 5.	Probably an "office boy," either working in the governor's household or not employed in any specific household.			x		x	
	Mercan	Rize, 1269	*hizmetçi*	Haci Bayram, Rize	Yunus Vehbi Efendi, judge at Jerusalem court / *Kudüs naʾibi* (from Rize)	Reg. 16: 1.				x		x	
	Musa Ağa	Sarajevo (Bosnasaray), 1252	*hizmetçi*	Salih Ağa	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 1.				x		x	
	Naṣr	Egypt (Miṣr), 1245	*hademe*	Aḥmad, Egypt (Miṣr),	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 5.				x		x	

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Nergis	Rize, 1269	*hizmetçi*	Haci Bayram, Rize	Yunus Vehbi Efendi, judge at Jerusalem court / *Kudüs naʾibi* (from Rize)	Reg. 16: 1.	Nergis is likely to have been a *besleme*.			x			x
	Qadam Khayr	Sudan, 1276	*"In the governor's apartment" (Mutasarrıf Paşa da'iresinde)*	ʿAbdallāh, Sudan	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 5.	female servant	x					x
	Ramzī, *hizmet-karesi*	Sudan, 1275	*hizmetçi*	ʿAbdallāh, Sudan	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 1.		x				x	
	Saʿīd, Zenci	Sudan, 1278	*hizmetkaresi*	ʿAbdallāh Ḥabashī	Yunus Vehbi Efendi, judge at Jerusalem court / *Kudüs naʾibi* (from Rize)	Reg. 16: 2.		x				x	
	Ṣāliḥ	Circassia, 1264	*hizmetkaresi*	ʿAbdallāh, Circassia	Yunus Vehbi Efendi, judge at Jerusalem court / *Kudüs naʾibi* (from Rize)	Reg. 16: 2.		x				x	

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Khadīja	Circassia, 1278	–	ʿAbdallāh, Circassia	ʿAsım Bey	Reg. 16: 4.		x					x
	Nadā	Egypt, 1265	–	Muḥammad Ḥājj Qasab	Mehmed Şerif Raʾuf Paşa, governor of Jerusalem (from Istanbul)	Reg. 16: 5.	She was the wife of Mabrūk, a servant, and joined the household in 1300, when she was registered in Jerusalem, together with her husband.			x			x
	Safāʿi, *zenciye*	Sudan, 1271	*hizmetkar*	ʿAbdallāh, Sudan	Aḥmed ʿAtallāh, judge at Jerusalem court / *Kudüs naʾibi* (from Istanbul)	Reg. 16: 7.		x					x
	Sulaymān	Circassia, 1265	*hademeden*	Hasan, Circassia	Ahmed Çerkes	Reg. 16: 7.	The whole household was from Circassia. Sulaymān later moved to the Al-Wād neighborhood.			x		x	
Jerusalem, Shaykh Jarrāḥ	Ādam Khayr, cariye	Sudan, 1291	*hademesi, cariye*	ʿAbdallāh, Ḥawwā	Badr Efendi Qatīna, police inspector, Turkish skills	Reg. 34: 121.		x					x
	ʿĀʾisha	Jerusalem, 1272	*hanesinde mukim*	ʿAbd al-Ḥajīb, Saliha	Zaki Efendi	Reg. 34: 85	Both parents had passed away; probably former servant who remained in the household.			x			x
	ʿAjmiyya	Sudan, 1261	*hademesi*	ʿAbdallāh Zaʿfarān	Muḥammad Ṣidqī Efendi al-Ḥusayni	Reg. 34:118		x					x

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	ʿAliya	Ramūn, Palestine, 1287	–	Ḥasan Tamiyya Ḥamda	-	Reg. 34: 68				x			x
	Faraj	Jerusalem, 1305	*hanesinde muqim*	ʿAbdallāh, Maryam	ʿIzzetlü Ḥājj Salīm Efendi al-Ḥusaynī, member of Jerusalem Administrative Council	Reg. 34: 95.	From a slave background. Both parents had passed away and the other household took care of the young boy.		x			x	
	Ḥamīdiyya	Jerusalem, 1291	*hademesi*	Muḥammad Sulaymān, Ḥamda	Zakī Efendi	Reg. 34: 85				x			x
	Maryam	Tarqumiyya, Palestine, 1303	*hademesi*	Ḥusayn, Jāziyya	Ḥusayn Efendi Ṭūa, real estate owner	Reg. 34: 107				x			x
	Ṣafā	Jerusalem, 1307	*hadime*	Saʿd, Ṣafra	–	Reg. 34: 111				x			x
	Sāra, *cariye*	Jerusalem, 1300	*cariye, hanesinde mukim*	Ḥājj Ibrāhīm, Qadam Khayr	Rāghib Efendi al-Khālidī, scholar	Reg. 34: 72	Does the term "*cariye*" really hint at concubinage for this young girl, born in Jerusalem? The father could be a pilgrim from Africa who settled in Jerusalem after the pilgrimage. The mother had probably been enslaved.		x				x
	Zaʿfarān	Jerusalem, 1261	*hademesi*	ʿAbdallāh, Ḥawwā	Ḥusayn Efendi Tūqān, real estate owner	Reg. 34:107			x				x

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Ẓarīfa, *cariye*	Jerusalem, 1311	*cariye, hanesinde mukim*	ʿUthmān Takrūrī, Saʿīda	Ḥājj Muṣṭafā al-Zaghar, farmer and dealer in flowers	Reg. 34: 81	It is unclear whether "*cariye*" really hints at concubinage for this young girl. The father could have been a pilgrim from Africa who settled in Jerusalem after the pilgrimage.				x		x
Dayr Ghassāna village	Shamsiyya	Sudan, 1262	*cariye*	ʿAbdallāh	Maḥmūd b. al-Shaykh Ṣāliḥ ʿAbd al-Jābir (al-Barghūthī)	Reg. 108: 161		x					x
Gaza city	ʿAbd al-Ghanī al-ʿAshā	Gaza, 1306	*hizmetçi*	ʿĪsā, Nawwāra	–	Reg. 253: 17	His father ʿĪsā is also working as servant. He lives in his father's household.			x		x	
	ʿAbd al-Muʿṭī al-ʿAbd, Zenci	Gaza, 1297	*"Arabic reading and writing skills" (Arapça okur ve yazar)*	Mabrūk, Mabrūka	head of his own household	Reg. 261: 231.	Living with his family (his wife Munīra, his mother Mabrūka and three children) in his own household.		x			x	
	ʿAbd al-Qatāwī, al-	Gaza, 1310	*hizmetçi*	Sālim, Fāṭima	–	Reg. 149: 153.	Living in his father's household. He was eleven years old when he was registered as a servant.			x		x	
	ʿAbd Miṣrī	Gaza, 1297	*hizmetçi*	Ḥusayn, Saʿīda	–	Reg. 260: 183.	Living in his father's household. His brother Aḥmad also works as a servant.			x		x	

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	ʿAbd Rabbuh Barāwī Waqqād	Gaza, 1305	baker	Ḥājj Ibrāhīm, Mabrūka	–	Reg. 253: 119.	Not a slave, but child of a former slave and probably her former master. He became a baker like his half-siblings who live in the neighbourhood (Reg. 252, p. 271).		x			x	
	ʿAbdallāh al-Tūnisī, *Ḥājj*	Tūnis, 1277	*Hademeden*	Ḥājj Muḥammad ʿAbd, Āmina	–	Reg. 266: 153.	Probably a migrant worker.			x		x	
	Aḥmad Miṣrī	Gaza, 1279	*hizmetçi*	Ḥusayn, Saʿīda	-	Reg. 260: 183.	Living in his father's household. His brother ʿAbd also works as a servant.			x		x	
	ʿĀshūr Abū ʿArab	Khan Yunis, 1308	*hadim*	Maḥmūd Abū ʿArab, Fāṭima bint ʿAws	–	Reg. 266: 295.	Migrant worker. The parents' names suggest a Bedouin background.			x		x	
	Fātima	Marʿash, 1309	*hademesi*	Mustafā Alī, Shamsiyya	Hasan Agha Darūrī, military officer	Reg. 266: 163.	Probably a *besleme*.			x			x
	Ḥalīma	Gaza, 1279	*hizmetçi*	ʿAbdallāh al-Zanjī (*zenci*), Marjān	Muḥammad Shaʿt	Reg. 260: 83.			x				x
	Ḥalīma	Ethiopia, 1292	former slave	ʿAbdallāh Habeshī, Amīna	–	Reg. 266: 157.	First wife of ʿAbdallāh Jābir, director of a bath house (*hamamcı*)	x					x
	Ḥusayna (*zenciye*)	no entry, 1260	slave descendant	ʿAbdallāh Zanjī	–	Reg. 260: 67.	Lived with her son and stepson in one household.	x					x

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Īsā al-ʿAshā	Gaza, 1278	*hizmetçi*	ʿAbd al-Ghanī, Khadīja	–	Reg. 253: 17.	His son ʿAbd al-Ghanī was also working as a servant. He has his own household.			x		x	
	Ismaʿīl al-Aʿbah	Gaza, 1291	*hizmetçi*	Muḥammad, Fāṭima	–	Reg. 253: 91.	Living with his wife and children in his brother's household.			x		x	
	Mabrūka	Sudan, 1265	former slave	ʿAbdallāh Zenci, Zaʿfarān	second wife of late Ḥājj Ibrāhīm Waqqād	Reg. 253: 119.	Living in the household of her son ʿAbd Rabbuh.	x					x
	Mabrūka (mother of Zenci ʿAbd)	Gaza, 1264	former slave	Khayr Allāh		Reg. 261: 231.	Living in her son's household.		x				x
	Muḥammad Zanjī (*zenci*)	Gaza, 1284	Not a slave, but slave descendant	Bilāl, Marjāna	–	Reg. 260: 67.	His skin color was first given as "brown" and then corrected to "dark" (*esmer*). Living in one household with his brother Saʿīd and his stepmother Ḥusayna (of *zenci* origin).		x			x	
	Munīra (wife of Zenci ʿAbd)	Gaza, 1309	slave descendant at least from mother's side	Aḥmad, Ẓarafāt	–	Reg. 261: 231.			x				x
	Naẓīra	Gaza, 1309	*hizmetçisi zenciye*	Faraj, illegible	ʿAbd al-Ḥayy Fāʿiq al-Ḥusaynī	Reg. 252: 247.			x				x

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Qalbī	Ethiopia, 1292	*hizmetçi*	ʿAbdallāh Habeshi, Hawwa	Ḥusayn Efendi al-Ḥusaynī, scholar	Reg. 253: 235.		x					x
	Salāma	Gaza, 1309	*hizmetçisi*	Muḥammad Salāma Shalla (?), Khayr Anīsa	Saʿīd Efendi al-Shawwā, later mayor of Gaza.	Reg. 265: 3.	Salāma lived with two wives in his master's household. It is unclear whether he had two wives at the same time, or if he was divorced from the first or his first wife had passed away. (See entries for ʿUbayda al-Maʿmarī and Ẓarīfa al-Miṣrī). He was about 14 years old when he was registered in the household of Saʿīd al-Shawwā.				x	x	
	Saʿīd Zanjī (*zenci*)	Gaza, 1296	Not a slave, but slave descendant	Bilāl, Ḥusayna	–	Reg. 260: 67.	Lived with his mother Ḥusayna and his half-brother Muḥammad Zanjī in one household.		x			x	
	Ṣāliḥ al-Bāyā	Gaza, 1297	*hizmetçi*	Muḥammad, Ḥalīma	–	Reg. 252: 271.	Had his own household; his younger sister was living with him.			x		x	
	Salīm Ḥumayda	Gaza, 1293	*hizmetçi*	Mūsā, Ṣāfiya	free servant	Reg. 265: 25	Household head of an extended household, including his nuclear family and his mother.			x		x	

Figure 3 *(Continued)*

Location	Name of domestic or person with slave background	Place and year of birth	Occupation title and/or other description	Parents' names (and birthplaces, if available)	Domestic's master (with occupation, if available)	Source	Comment	Slave, or enslaved once during lifetime	Slave background	No slave background (free domestic)	Unclear	M	F
	Sharrāb ʿArāyishī	Gaza, 1294	*hizmetçi*	Ḥājj Ayyūb	–	Reg. 266: 113.	Lived with his family in the household of his brother, a scholar (*ʿālim*). His second brother also worked as a servant.			x		x	
	Ṭaha ʿArāyishī	Gaza, 1304	*hizmetçi*	Ḥājj Ayyūb	–	Reg. 266: 113.	Living with his family in the household of his brother who was a scholar (*ʿālim*). His second brother also worked as a servant.			x		x	
	ʿUbayda Maʿmārī	Alexandria, 1310	–	Ḥājj Muḥammad Shaʿbān, Fāṭima	Saʿīd Efendi al-Shawwā, later mayor of Gaza.	Reg. 265: 3.	First wife of Salāma, servant of Saʿīd al-Shawwa. She was 15 years old, when she was registered in the household in 1325.			x		x	
	Yūnus al-Saqqā	Gaza, 1286	*hizmetçi*	Fāris al-Saqqā, Fāṭima	–	Reg. 261: 69.	He is a free servant, who has a wife and son. They live in his brother's household.			x			x
	Zahra	Gaza, 1305	*zenciye*	Abdallāh Marjāna	Asʿad Abū Khaḍra	Reg. 252:203			x				x
	Ẓarīfa al-Miṣrī	Gaza, 1309	–	Ḥasan Shahāda al-Miṣrī	Saʿīd Efendi al-Shawwā, later mayor of Gaza.	Reg. 265: 3.	Second wife of Salāma, servant of Saʿīd al-Shawwā. She was 16 years old, when she was registered in the household in 1325/1907–8.			x			x
Total								22	12	41	2	39	38

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Index

abduct/abduction 135, 289, 293, 295, 300, 300n33, 307, 311f., 314, 334, 339
Abdulhamid I (r. 1774–89) 197, 200
Abdulhamid II (r. 1876–1909) 407
Abdurrahman Abdi Pasha 140, 178
Abkhazia(n) 324, 359
abolition, of slavery 21f., 35f., 40, 42, 97, 147, 385, 387, 415
– abolitionist(s) 94, 374
– act 376
– measures 375, 388, 394
Abū'l-Faḍl 78
Afghan(s) 386
Africa/African(s) 20, 36, 38f., 41, 44, 49, 68f., 76f., 79, 94, 132, 155, 216, 240n18, 379, 381, 383, 386f., 390n63, 393, 395f., 401f., 407f., 411n134, 415f., 424f.
– -Americans 34
– -Ottomans 48
– Central 408, 413
– East/Eastern 55, 167, 394, 390f., 394, 410, 413
– eunuchs 77, 168
– *mamlūk*s 69
– North 16, 24, 34f., 54, 46f., 60, 155, 242, 247, 324, 374, 392
– slave(s)/slavery 41, 68f., 167, 174, 176, 179
– slave trade 240n15
– sub-Saharan 289, 387, 396
– Trans-Saharan 381
agency, slave
– and its limits 56, 76, 159
– and loyalty 105
– and social contexts 18, 207
– among elite slaves 24, 62f.
– artistic 169, 181
– as self-directed power 240
– charitable activities as 203, 205
– concepts of 18, 31f., 49, 132–134
– in comparison 56f.
– economic 168f., 185
– legal system (manumission contracts) as 60f., 244–246, 288f.
– literary 181
– "material agency" (Bruno Latour) 33, 48
– mnemonic 169, 181
– negotiations as 24, 152f., 284, 288f., 366f.
– of chief harem eunuch 168, 185
– of domestic servants in Gaza and Jerusalem 376, 405
– political 168f., 181, 185
– religious 168f., 185
– rebellions as 156, 215, 366
– ransom as 100, 151
– *see also* interagency, room for manoeuvre
Ahmed I (r. 1603–17) 173, 179, 185, 332, 337
Ahmed II (r. 1691–95) 198
Ahmed III (r. 1703–30) 177f., 180, 197
Akbar (r. 1556–1605) 78
Albania 63, 143n56, 155, 311, 384
Alemdar Mustafa Pasha, Grand Vizier 73
Al-Wad, in Jerusalem 394–396, 407, 413–416

Americas, the 11, 42, 64
Anatolia(n) 17, 56, 77, 118, 147, 178, 252f., 300, 334, 397
Anthropologists 31, 239, 384, 392
Anthropology/anthropological 32f., 40f., 43, 104
Arabian Peninsula 49
Arakan 59
Arsenal Prison (*Tersāne Zindanı*) 147, 149, 151, 154, 157f.
Arsenal, Imperial naval, *Tersāne-i ʿĀmire* 19, 62, 136f., 139–142, 146f., 149–151, 154, 157f.
Asia
– Central 67, 79, 88, 93, 95, 100
– Minor 136
– South 55–60, 67–70, 73f., 80f.
– South-East 88
– Western 55
Astrakhan 84, 365
Atlantic 34–36, 40f., 44f., 105f., 156, 217
Aurangzeb 74f.
Ayia Mavri (Ayamavri) 152

Bābur (r. 1526–30) 55
Baf, in Cyprus 306
Bagno, *see* Arsenal Prison
Baḥriye Kanunnāmesi 142
Bailo, Venetian ambassador 153
Baki, poet 326
Balkans 55, 88, 216
Baptism 16, 155
Barbary States 136
– corsairs 97, 131
Beirut 377f., 418
Bengal 59, 78f.
Benghazi 324f.
Berat (Arnavud Belgrad), in Albania 311
Berchini family, Foundation of 154
Berchini, Count Nicolas 154
besleme 391, 397–400, 402, 413, 419, 422, 426, *see also* servant
Bilad al-Sham 242, 374, 376, 380, 383, 397, *see also* Syria
Black Sea 36, 66, 76, 105, 216f., 283, 289, 306, 323, 358, 387, 391, 397
bondage 31, 35, 46, 49, 91, 98, 227, 239, 245, 249, 288, 296, 307, 310, 312, 314, 413, 416
– types of 12f., 24, 32–34, 36, 40, 44f.
Bosnia(n) 155, 171, 222
Bosporus 60, 72
British East India Company, *see* India
British Royal Navy 146
Buddhism 89
Burckhardt, Swiss traveler 380
Bursa 59f., 74, 216, 325, 328
Busaysū, Aḥmad 381f., 403, 415
Byzantine 109, 184, 331

Cairo 22, 60, 66, 69, 182, 255, 388, 390, 398, 405, 408, 414, 416
Çankırı 300
captive(s) 19, 24, 60, 63, 87f., 92, 94, 96, 100, 102, 104f., 107, 109–114, 117, 119, 131, 143, 148, 151f., 157f., 216, 220, 283, 289, 292, 309–311, 315, 323, 333, *see also* prisoner(s) of war
census, Ottoman 22, 374, 376, 388f.
Chania 138, 156, 334
chief/military judge(s) (*kadıasker, kazasker*) 77, 178, 198, 255, 306, 308
China 39, 183
Chronicle of Naʿīmā 141–143, 145, 150, 152
Chronicle of the Beginning of Tsardom 107
Circassia/Circassian(s) 36, 48, 61, 99, 101, 216, 303, 324, 333, 362
– and annual tribute 359–362, 366
– and Kabardians 362, 365
– as "slaving zone" 23, 61, 216, 324, 366, 391
– beys/leaders/nobles 23, 355, 357, 359f.
– origin 66, 224, 258f., 303, 392, 397, 419f., 422f.
– Tatar campaign in 364f.
concubinage 99, 244, 303, 394, 424f., *see also* concubine(s), slaves, slave girl(s)
concubine(s) 15, 20, 23, 70, 75, 79, 95, 98, 286, 304f., 324, 336n106, 377n18, 384, 390, 394, 400f., 414, 418
– favorite (*hasseki*) 168
– *see also* concubinage, slaves, slave girl(s)

Constantinople 20, 139, 154, *see also* Istanbul
continuum(s), of enslavement 24, 32, 43f., 46f., 49, 220
convict(s) 12f., 146, 153, 156–158
Coromandel Coast 59
Çorum 60
corvée 385
Cossack(s) 89, 92, 100f., 106, 114
Council
– Imperial 140, 288, 301, 306
– Municipal (of Gaza) 411
– Jerusalem Administrative 424
– Russian Council of Foreign Affairs 365
Crete (Girid), campaign of 135, 138, 142, 152, 303
Crimean
– Khanate 23, 25, 96, 323, 355–358, 360, 363–367
– Tatar(s) 23, 88f., 97, 100f., 355–358, 360, 364–366
Croatian 153, 311
Cyprus 138, 306f.

Dalmatia 155
Damascus 64, 66, 376–378, 383, 397, 419
Dardanelles 138
Darfur 391, 394f., 417f.
Al-Darir, Mustafa, poet 170
Darüssaade Ağası, *see* eunuch(s)
Dayr Ghassāna, in Jerusalem 21, 379, 393, 400f., 403, 412f., 425
Deccan 56, 67–69
Delhi Sultanate 65, 67, 69
Delhi 67, 75
dependencies, asymmetric 12–14, 18f., 24, 31f., 105, 131–133, 158, 192, 376, 385f.
devşirme (levy of boys) 16, 63, 101, 113
Die Warte, journal 379, 388
Dnieper (*Dnipro*, *Dnepr*), river 114f.
Dniester, river 176
Donanma-i Hümāyūn, see Fleet
Dutch 59, 355

Edirne 177, 229, 294f.
Egypt 39, 65f., 68f, 373
– abolition of slavery in 387, 411
– governor(s) of 183, 377
– exil in 175
– female palace slaves in 198
– Mamluk sultans of 77
– Mamluk 101
– passenger traffic to 138
– provincial grandees in 168
– regiment of 248
– transport of slaves to 335
Egyptian
– army 48, 383
– capital 66
– coins 249
– censuses 374, 390
– *mamlūk*s 66
– origin 386, 397, 419f.
– workers 387
El-Hajj Mustafa Agha, Chief Eunuch 173–176
El-Hajj Beshir Agha, Chief Eunuch 178–181, 183, 185
Emir Faysal ibn Husayn 380
England 105, 111, 146
enslavement/slavery
– chattel 94
– domestic 36, 41, 239f.
– elite 40f., 94, 101
– female-dominated 36
– galley 19, 131, 134f., 158
– illegal 289, 292, 297, 305, 309, 315
– male-dominated 36
– military 23, 41, 48, 63, 65–68, 70
– of the *kul* 63
– of weaker groups 42
– of women 56, 75
– *see also* serfdom, servility, servitude
Ethiopia/Ethiopian (Abyssinia, Habhis, Habeş) 68f., 88, 245, 249, 256, 391f., 401, 406, 413, 418f., 426, 428
Euboea (Negroponte) 154
eunuch(s), chief harem
– commission of 169
– as artist 181, 184
– manuscript collection of 183
– exiled 175

– chief black 72, 76f.
– in the China's Ming palace 183f.
– in the Mamluk palace 40
– in the Mughal palace 78–80
– in the Safavid palace 184
– Third Court/white 167f., 174–177
Eurasia(n) 88, 91, 95, 106
Europe(an) 12, 34, 73, 87f., 90, 92f., 95, 97, 102, 106, 109, 120, 136, 138, 155, 169, 178, 183f., 216, 306, 355, 357–359, 379, 392, 399, 407f.
Evkāfü'l-Haremeyn 167f., 170
Evliya Çelebi 66, 79, 97, 322, 323, 330, 332

Fahri Sultan, daughter of Murad III 72
Fatma Sultan, daughter of Ahmed III 197
Fazıl Ahmed Pasha, Grand Vizier 63
Fedor Alekseevich (r. 1676–86) 111
Feẕleke 142
Finn, James, British consul in Jerusalem 379
Flachat, Jean-Claude 183
Fleet, Imperial (*Donanma-i Hümāyūn*) 19, 131–133, 135–144, 146f., 149–151
– Venetian 138, 140
– Christian 155
– European 136
Forbidden City, in Beijing 183
forced recruitment of workers 19, 22
– through impressments 146
– through kidnapping 146, 314, 408
forṣā, forsa, *see* galley slave(s)
France, French 41, 92, 156, 183
freedom suits (*dava-yı hürriyet*) 286f.
– agency in freedom suits 288
– free-origin 304–306, 309
– of *mukātebe* 300
– of *ümm-i veled* manumission 302f., 307
– of unconditional manumission 296
– recording of, in *sukuk* manuals 295, 297–299
– typology of Ottoman 289f., 314

galley slave(s)
– Muslim 135f.
– from the Barbary States 136
– state slaves as 139
– capture of 143
– conditions in the Arsenal Prison 147–150
– as labor 150, 159
– ransoming and exchange of 150–154
– conversion of 155
– rebellion of 156f., 159
– *see also* oarsmen/rowers
Ganges-Yamuna, in India 55
Gate of Felicity 157
– Abode of Felicity 157, 167
Gaza 373n1, 376, 381, 393, 401–406, 409–414, 416, 425–429
Gazanfer Ağa 76n79, 79
Gazette de France 156
Genova/Genoese 66, 156, 323, 363
Gerlach, Stephan 194
German Protestant Templer, community 379
German Research Foundation (DFG) 11
German(s)
– -speaking 13
– traveler 131n3
– liberated 153f.
– Groschen 247n43, 386
German-Israeli Foundation for Scientific Research and Development 373n1
Germany 12
Godunov, Boris (r. 1598–1605) 92
Gospel of John 109
Gran Prigione of Malta 147, 149
grand admiral(s) 140–143
grand vizier(s) 63, 72f., 76, 140–142, 146, 168f., 171–173, 175, 178–181, 305f., 313
Greece, ancient 39, 41
Greek(s)
– individuals, community 34, 112–114, 116–118, 121
– Orthodox church 117
– Orthodox Christians 135, 377
– Orthodox metropolitan of Nicaea 109
Grimmelshausen, Hans Jakob Christoffel von 131n3, 138f.
Gulbadan Begam 78

Habeshi Mehmed Agha, Chief Eunuch 20, 169–172, 176
Habsburg Empire 105f., 111, 173
Habsburg-Ottoman Long War (1593–1606) 60
Hadice Turhan Sultan, *valide sultan* 147n77
al-Halabi, Burhan ad-Din Ibrahim b. Muhammad, Hanafite legal scholar 14
Ḫalil Pasha, Grand Admiral 143
Hanefi (*Ḥanafī*) 23, 56f.
harem(s)
– elite 70, 73
– imperial 20, 57, 71f., 78f.
– households of 23, 36
Heberer, Joseph 131n3, 148–151
Hedin, Sven 383
Hezārfen Ḥüseyn Efendi 137
hilye, physical description of slaves 306
Hindī Mahmūd 148–150
Hindu(s) 55f., 58, 88
Holocaust 12
Holy League 356
Hotin 176
household(s)
– Arab 398, 414
– bondage 35
– domestic 22
– elite 22f., 36, 48, 64, 70, 75f., 79, 136n22, 139, 243, 376, 379, 388, 396, 398, 400
– of Hürrem Sultan 20
– imperial 168, 181, 190, 193, 197f., 202f., 206f.
– incorporation into (after manumission) 244, 286, 294, 301, 307, 313
– Mary Rogers' 384, 388
– of Mehmed Şerif Raʾuf Pasha 397
– middle-class 399
– Muḥammad's 254, 264
– Muslim 105, 394
– Palestinian 392, 393n79, 413
– slaves/servants in 24, 64, 70, 95, 101, 158, 216, 230, 237, 246, 296, 300, 314, 388, 395f., 398, 403, 406–409n129, 417–429
– tax exemption of 19, 144
Humāyūn (r. 1530–40; 1555–56) 78

Ibn Khaldun 246
Ibrahim Çelebi, court painter 180
Ibrahim Pasha, Egyptian governor 377, 406
Ibrahim Pasha (Pargalı), Grand Vizier 172
India(n)
– British East India Company 55
– captives from 88
– courts 23
– descent 78
– military slaves in 67–69
– South 24
– slaves and slaveries 39, 55, 57–59, 65
– slave labor in 100
– slave traders 79
– principalities 59
– sources 58, 80
Indian Ocean World Centre (IOWC) 41
Indian Ocean 34–36, 42, 44
inheritance inventory (*tereke*) 219, 285, 295n23, 298f.
interagency 18, 24, 104, 114f., 117, 120f., 213, 216, 218, 220, 229
– and loyalty 102, 107
– concepts of interagency 103, 105, 134, 214f., 375n14
– of master and slave 119, 233
– manumissions as 221–223, 232
– peasant 92
– *see also* agency, room for manoeuvre
Irkutsk, in Siberia 92
Ismail Pasha, Governor of Egypt 183
Israel 375
– liberation of, from Babylonian captivity 108
Istanbul, areas
– Eyüb 303
– Galata 136, 149, 199, 306f.
– Haslar 199
– Üsküdar 59f., 199, 228, 230, 334f
– Fener 334
– Fındıklı 201
– Haliç 136
– Hippodrome 172

– Hoca Kasım Günani 205
– Süleymaniye Library 183
– Süleymaniye Mosque 151, 196, 332
– Tophane 294, 332, 336n106
– *see also* Constantinople
Italy/Italian 37, 143n58, 155n119, 92, 105, 184
Ivan IV (r. 1533–84) 99
Izmir 33, 48, 157n134, 328, 408

Jaffa 379, 386f., 395, 401, 415
Jahāngīr (r. 1605–27) 68f., 78f.
Janissaries 16f., 22, 66, 145, 156, 172, 296, 308, 328, 334
jariya, cariye 218, 247, 284f., 294, 299, 324f., 390, 414, *see also* concubinage, concubines, slaves, slave girl(s)
Jerusalem 25, 109, 379, 384, 393f., 412
– castle 254, 267
– court in 241, 243, 247, 249, 264
– court records of 245
– domestic servitude in 240, 376
– elites of 398, 413
– governor of 397
– Greek Orthodox community of 385
– Husayni family of 401n106
– Noble 249, 251, 253, 255, 258, 262, 265
– Ottoman census on 376, 411
– pilgrims in 375, 401
– *Saray* of 21, 396, 413
– slaves in 242, 386, 408
– Takrūri community in 399, 408
– travelogue on 383
– *see also* Al-Wād, Shaykh Jarrāḥ, Dayr Ghassāna
Jodhpur, in India 58, 80

Kaplan Giray (r. 1707–8) 359f., 366
ḳapıḳulu, regiments 17
Karlowitz, Treaty of 23, 356, 366
Kashf al-Niqāb 381, 415
Kātib Çelebi 132, 140
Kavanin-i Yeniçeriyan 16
Kaya Sultan, daughter of Murad IV 196
Kazan 89, 107–109, 120
Kemānkeş Ḳara Muṣṭafā Pasha, Grand Admiral 141
Kiev/Kievan 110, 114
Köprülü Mehmed Pasha, Grand Vizier 63
Kösem Sultan 72, 194
Kremlin 88
kul/harem/gholam 36f.
kürekçi see oarsmen/rower(s)

Lady Mary Montagu 70, 73
Lemnos (Limni) 150
Lepanto, battle of (1571) 134, 140f., 158
Levni, painter 178–180

Mācuncuzāde Muṣṭafā, judge 148–150
Mahmud I (r. 1730–54) 195
Mahmud II (r. 1695–1703) 198
Malta/Maltese 135, 148, 152–154
– Knights of 135, 143, 150
– Gran Prigione 147, 149
– St. Johann 152
Mamluk Sultanate, rule 40, 66, 77, 101
mamlūk(s) 23, 40, 57, 65–69, *see also* slaves, military
mamluks/kuls/gholams 40
manumission, certificate(s)/contract(s) 15, 21, 23, 36, 60f., 218f., 221–226, 232, 243–245, 255f., 259, 261, 265f., 288, 292, 298–301, 313, 315, 333
– prices 226, 292, 310n55, 311
Mecca and Medina, holy cities 20, 167f., 199–201
Mediterranean 13, 19, 25, 56, 76, 88, 93, 99, 101, 105f., 131, 133–137, 139, 143, 156, 158f., 324, 356, 373, 387, 392
Mehmed II (1444–46; 1451–81) 63, 137, 172, 331
Mehmed III 150, 176
Mehmed IV 72, 177f., 181, 197
Melek Ahmed Pasha, Grand Vizier 148n86, 196
MENA, societies, regions 31, 35f., 46, 49
Mezzo Morto Ḥüseyn Pasha, Grand Admiral 142
Middle East(ern) 46f., 93, 381, 385
– and North Africa(n) 24, 34f., 46f.

– Arab 381
– custom 96
– cities 414
– Ottoman 381, 405
– political texts 378
Ming Dynasty 138
Moldavia and Wallachia 306, 308
Mongols 89
Moralı Beshir Agha, Chief Eunuch 181–183
Moscow 23, 87f., 91, 96, 106f., 111–119, 184, 357, 365, 366
Mughal, Empire 23, 55f., 59, 69
– conquest of Deccan 68
– court 24, 69, 70, 73, 75, 79
– court eunuchs 78–80
– elites 56, 68, 74
– rulers 55, 69
– princes 74
– military slavery in 65, 68
– singers at the court 75
mükâtebe, mükâtabe, mukātaba, *see* manumission
Multaqa al-abḥur 14
Murad II (r. 1421–44, 1446–51) 76
Murad III (r. 1574–95) 20, 72, 150, 167, 16f., 172–174, 178, 330
Murad IV (r. 1623–40) 175, 181, 196
Muscovy/Muscovite
– army 108
– border regime 114f., 118
– culture 117f., 120
– conquest of Kazan 108, 120
– legislation 110
– New Israel 110
– saint legends 117
– slave raids in 92
– sources 105, 116
– St. Nicolas 112
– rule 23f., 87f., 93, 105, 108f., 112, 118–121
Mustafa ʻÂlî 63
Mustafa I (r. 1617–17) 174
Mustafa II (r. 1695–1703) 177
Mustafa III (r. 1757–74) 179, 200
Mustafa Itri Efendi, composer 326
Mustafa IV (r. 1807–8) 73

Nablus 243, 252, 379f., 385
Nadiri, poet 175f.
Naʿīmā, Muṣṭafā 132, 143f., 146, 156, 194
Napolitan 153
Neapel 158
Near East, ancient 39
Netherlands 59
Nevşehirli Ibrahim Pasha, Grand Vizier 178, 181
New Israel 108, 110, 121
New Spain 290
Newfoundland 88

oarsmen/rowers
– demand for 135–138
– prisoners of war as 135f.
– types of oarsmen 140
– recruitment of 19, 138, 141
– recruitment through press gang 146f.
– as labor 19, 140
– of European galleys 136
– sentencing as 141
– volunteers as 139, 144
– tax payers as 144f.
– criminals as 145
– *see also* galley slaves
Osman II (r. 1617–22) 145, 157, 174–176

Palestine
– region 374f.
– Mandatory 375n12, 384
– slaves, domestic workers in 376, 379, 389
– migrant workers in 386
– abolition of slavery in 387f.
Pantoja, Gutierre 71
Papal State 151, 155
pencik (*pençik*) tax 240
– certificate 331
Perteveniyal, *valide sultan* 335
petitions, petitioners 24, 87, 91, 96, 105, 157, 198, 251, 331
– of captives 149f.
– of returning slaves 110–114, 115f.

– of slave traders 331f.
– of local population 378
pilgrimage to Mecca 70, 375
Poland and Lithuania, Commonwealth of 23, 111, 114, 176, 216, 323, 356n8, 359f., 366
Portuguese 34, 38, 59, 88
Preveza, battle of 138
prisoner(s) of war 12, 19, 62, 102, 117, 136, 139, 144, 149, 151f., 155, 289, 321, 362, *see also* captive(s)
psychologists 31
psychology 31f.
Putivl 114f.

Qajar Empire 40, 44, 46
– society 44, 49
queen mother(s) 70, 72, 76, 147n77, 150, 168, *see also valide sultan*

Rabia Gülnuş, *valide sultan* 196
Ranjit Singh, Sikh prince 75
ransom/ransoming 24, 62, 100, 104f., 109f., 112f., 115–120, 135, 148–155, 157, 159, 224, 252, 256, 291, 313
Rhodes, siege of 138, 140
Rogers, Edward Thomas, British consul in Haifa 381, 384
Roman
– law 12
– Empire 34, 37
– cardinal 109
Romanov, rulers 112
Rome 39, 41, 148f., 155
room for manoeuvre, of slaves 76, 80, 133, 159, 190, 213f., 217
Rössler, Walter, German consul 386
Rumeli 200, 294
– *kazaskeri* 306, 308
Rumelia 17, 112, 178, 198, 229
Rumelihisārı 149, 158
Russia(n) 23–25, 34, 48, 71, 89–92, 99, 101, 107, 113, 117, 120, 184, 230, 248, 255, 297, 323f., 357, 365
Russian-Ottoman War, 1670 s 87

Saadet Giray (r. 1721–23) 360, 364–366
Safavid(s) 79, 184, 306
Safiye Sultan, *valide sultan* 150
Sahara 88, 324
Sakk/sukuk (judicial praxis manuals) 290f., 313
– of Fındıkzade 292, 302f., 311
– of Hızır bin Osman 294, 297, 310n55
– of Hacibzade 299, 305
– of Musazade 305
Sami Paşazade Sezai 333
Şehname, Nadiri's 176
Selim I (r. 1512–20) 66
Selim III (r. 1789–1807) 191f.
serf(s) 89f., 184, 362, 366
serfdom 89–91, 94, *see also* enslavement/slavery, servility, servitude
servant(s)/domestic(s) 48
– female 376, 388f., 390–399, 402, 405–409
– *see also* worker(s)
servile labor 35–37
– elite 40
servility 13, 34, 37, 158, *see also* enslavement/slavery, serfdom, servitude
servitor(s), of the sultan 62–67, 77, 81
– local 91
– military 120
servitude 22, 38, 99, 101, 136, 145, 240, 249, 290, 312, 389, 404, *see also* enslavement/slavery, serfdom, servility
Shahname, Medhi's 173–175, 185
Shaykh Jarrah, in Jerusalem 398–400, 413f.
Siberia(n) (Sibir) 89f., 92, 106
Sicily 37
Silahdar Fındıklılı Mehmed Agha 359
Sinan Pasha, Grand Vizier 63
slave girl(s)
– individual cases of 142–267, 284, 406
– *see also* concubinage, concubine(s), slaves
slave market(s) 75, 246
– building of 339
– Cevahir Bedestan as 331
– in Istanbul 72, 304, 322, 329, 333

– in open areas 332
– officials of 325f., 329
– prices of slaves 247, 249, 256, 261f., 285, 323, 327f., 330
slave raid(s)
– at sea 136, 143
– in Muscovy 88f., 90, 106, 120
– in the Caucasus 99, 289, 366
– of Crimean Tatars 323, 360
– raiders 99f., 323
"slave societies" versus "societies with slaves" (Moses Finley) 35, 39, 43–45
slave trader(s)
– and abduction 314, 334
– and brokers 327f.
– banned from trading 322
– female 297, 334, 336
– illegal actions of 335f.
– in court cases 285, 293f., 307
– and slave raids 323
– Genoese 66
– imported African slaves 68
– Indian 79
– number of 329f.
– payment of manumission by 91f.
slaves, 'elite' (Sultans' *kul*s) 24, 62, 64f., 71, 183, 376, 385
slaves, chattel 17, 95, 132, 239, 240, 242
slaves, domestic 41, 136, 216, 221, 237, 245, 383
slaves, female palace 20, 70, 72, 74f., 189
– categories 189n3
– former 71
– manumitted, and court registers 190, 205
– material wealth of 190, 202
– relationship with the imperial court 192f., 195, 201, 206
– of the chief black eunuch 197
– estate of 198
– freed slaves of 199
– *see also* concubinage, concubine(s)
slaves, female 15, 20, 41, 56, 59, 95, 99, 218, 223, 237, 324f., 326–328, 377, 382
– and agency 65, 76
– and court records 241
– in courtly harems 23f., 57, 70
– as *ümm-i veled*/*umm walad* (mother of owner's child) 221, 244, 286, 292, 302f.
– manumitted 230, 231, 384, 407f.
– escaped 225, 229
– selling of 330f.
– sold as prostitutes 336
– transport of 324f., 388
– *see also* concubinage, concubine(s), *jariya,* slave girls, servants
slaves, military 23, 57, 65–69, 88, 95, see also *mamlūk*s
Slavic 87, 120, 356
"slaving zones"/"no-slaving zones" (Jeff Fynn-Paul) 23, 42f., 135, 356
"Social Death" (Orlando Patterson) 45, 47, 133f., 214, 244, 246
sociology/sociological 18n15, 19, 31–33, 40f., 43–45
Sokollu Mehmed Pasha, Grand Vizier 171–173
Spanish 153, 284
Sudan/Sudanese 48, 265, 388, 391f., 394f., 397, 399f., 402n108, 404, 410, 413, 416
Suez Canal 402
Sulayman, Shah (r. 1666–94) 184
Süleyman Agha 175f.
Süleyman I (1520–66) 20, 66, 77, 170, 172f.
Surname 172f., 177–180, 185
Syria 64–66, 380–381n29, *see also Bilad al-Sham*

Tanzimat, Era 55, 333
Telḫīs ül Beyān fī Ḳavānīn-i Āl-i ʿOs̱mān 137
Topkapı Palace, Istanbul 17, 79, 167
– Third Court 167
Tsargrad (Constantinople) 116
Tuḥfet el-kibār fī asfār el-biḥār 132

Ukraine 92, 114, 176, 283
United States/US American 11, 34, 38
– slavery in 37, 220n48

valide sultan 70, 168, 196, 335, *see also* queen mother

Venetian(s) 76, 138, 152f., 154, 156
– Venice, Republic of 19, 151, 323
Vereenigde Oostindische Compagnie (VOC) 59
Volga, river 89, 184

Wild, Hans 60, 148
worker(s), domestic 375, 383f., 389f., 392f., 396, 401, 403, 405, *see also* servant(s)
Wratislaw, Baron Wenzel 131n3, 148–150, 158

Yusuf Agha, Chief Eunuch 176–178, 181

Zekeriya Efendi, *şeyhülislam* 293
Zekeriyazade Yahya Efendi, *şeyhülislam* 293
zenci/zenciye/zanjiyya 390, 395–397, 410f., 415–17, 419, 422f., 425–29
Zübeyde Sultan, daughter of Ahmed III 197